

2/25/65

AIRTEL

TO: SAC, NEW YORK (161-1428)
FROM: SAC, WFO (161-2419) (RUC)
ABE FORTAS
SPI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-274P/DAK

ReNYMemorandum to SAC, Detroit and other offices
entitled "Committee to Secure Justice for MORTON SOBELL, IS - C",
(NYfile 100-107111).

Page 5 of referenced memorandum indicated that one
Dr. UREY had been in Washington, D. C., on 12/22/64, for meetings
with the National Aeronautics and Space Administration (NASA),
and had met with "ABE FINNES", a former lawyer of the President.

It is believed that the individual, Dr. UREY contacted
was ABE FORTAS, a Washington, D. C. lawyer and personal friend
of President JOHNSON who was the subject of a Special Inquiry
investigation conducted in October, 1964.

On 2/24/65 [redacted] Personnel Officer, the
White House Office, advised SA [redacted] that ABE FORTAS
has no official title or employment at the White House, but is a
personal friend and advisor to President LYNDON B. JOHNSON.

New York consider furnishing information set forth in
referenced communication to the Bureau in a letterhead memo with
appropriate characterization of the individuals and organizations
involved.

1 - New York
1 - Bureau
1 - WFO

ELN:ejh
(3)

AIRTEL

161-2860-36

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[Handwritten signature]

56 MAR 11 1965

Mr. Tolson _____
 Mr. Belmont _____
 Mr. Mohr _____
 Mr. DeLoach _____
 Mr. Casper _____
 Mr. Callahan _____
 Mr. Conrad _____
 Mr. Felt _____
 Mr. Gale _____
 Mr. Rosen _____
 Mr. Sullivan _____
 Mr. Tavel _____
 Mr. Trotter _____
 Tele. Room _____
 Miss Holmes _____
 Miss Gandy _____

July 19, 1965

**ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 7/30/88 BY SP-214P/BJT**

MR. TOLSON:

The President called at approximately 5:20 p. m.
 Sunday, 7-18-65, and talked for approximately 25 minutes.

The President mentioned he was seriously thinking of appointing Abe Fortas to a major departmental position. He stated he knew we had investigated Fortas sometime ago at his, the President's, specific instructions, however, he thought that this investigation should be brought up to date. He stated he remembered that Fortas had belonged to a number of communist front organizations back in the early 1940's, however, he placed no credence on these facts inasmuch as Fortas since had matured and was now a well trusted, loyal individual. The President stated he trusted Fortas as much as he did Lady Bird and even more so with respect to advice regarding business and international matters.

The President advised that he intended naming Fortas to this position within the next day or so. He stated he wanted to find out first exactly what opposition he would encounter after he named Fortas. He stated he thought we should interview a number of Senators and get them on record. He then named Senator Cannon, Eugene McCarthy, Douglas, Senator Bob Kennedy and Senator Ed Kennedy. (I interrupted the President at this point and asked him if he was serious. He replied that he certainly recognized that the Senators would give Abe Fortas a bad name, however, he thought he should go on record in order to prevent these Senators from issuing adverse press statements later on.) The President added Senators Kuchel and Dirksen. With respect to Senator Dirksen, the President stated that Dirksen was in a bad way physically and he was afraid he would be losing him within the next several weeks. The President added he wanted a number of conservative Senators interviewed. He then named Hruska, Wickenlooper, Cotton and Murphy of California. He stated that Murphy would know nothing about Abe Fortas, however, it would be a good idea to get him on record.

The President specifically stated he wanted our Agents, if questioned, to intimate that Fortas was to be appointed to a presidential advisory commission. He stated this, of course, was not true, however, he wanted to keep from arousing comment as much as possible. I told the President that FBI interview of the Senators named above would certainly cause comment. He replied he knew this, however, hoped that the Agents could handle this investigation as quietly as possible.

161-2860-37

NOT RECORDED
 46 JUL 28 1965

CONTINUED NEXT PAGE

ALL INFORMATION CONTAINED

CDD:sat

Ex. 112 to Sullivan

ORIGINAL FILED IN 94-57190

Informal DeLoach to Mr. Tolson 7-19-65

The President turned to other things. He stated that, "Edgar had done a good job with the Evening Star." He mentioned it was quite obvious that we had talked with representatives of the Star and that this paper had now turned to his favor. I told the President that the Director had made a very careful check as to any known animosity towards him, however, we had failed to find there was any animosity in this regard.

The President stated he was concerned about the future hearings to be held by the Fulbright Committee regarding U. S. intervention in the Dominican Republic. He stated before the hearings were over with, he anticipated that he would find it necessary to ask the Director to testify regarding the fact there had been communists attempting to take over the Dominican Republic. He added that the Director would also be in a position to testify regarding communist attempts in the United States to embarrass United States Government policy in the Dominican Republic. I told the President that while the Director could no doubt bolster the Administration's position by his testimony, I felt it would be very inadvisable to have the FBI testify before the Fulbright Committee or any other Congressional committee. The President asked me the reason for this statement. I told him the Director, by precedent, had made it a policy not to appear before Congressional committees. I added that Senator Jim Eastland had constantly wanted the Director to appear relative to judicial appointments. I mentioned that such appearances could be both embarrassing to the Administration and most certainly would take the FBI out of the category of a nonevaluation agency. The President stated we had a point there, however, he would have to think about the matter.

The President told me that Senator Tom Dodd had been doing an excellent job for the Administration. He stated that Dodd's speeches on the Floor of the Senate had been very helpful. He then added that the Director had also been doing an excellent job in fomenting public opinion against communist efforts to embarrass the U. S. Government in Vietnam and the Dominican Republic. The President stated he was concerned, however, about the fact that we appeared to be losing the battle against college professors and on college and university campuses. He stated there were also bad rumblings in Government about our policies in Vietnam particularly. The President stated that he wanted to get more Johnson men in this Administration. He added that such men were particularly needed in the State Department.

I told the President that Senator Dodd had received and accepted an invitation to be one of the principal speakers before The American Legion Convention next month in Portland, Oregon. The President stated this was fine and that he hoped some guidance could be given to Senator Dodd relative to the type speech that should be made. I told him that the Director had already had me give Senator Dodd considerable material in this regard, some of which Senator Dodd had already used on the Floor of the Senate.

Informal DeLoach to Mr. Tolson 7-19-65

The President asked if I could have prepared a careful resolution which will be passed before The American Legion defending his position in Vietnam and the Dominican Republic. I told him that the Director had already approved such a resolution and that The American Legion in Virginia this coming week would pass this resolution and send it on to National Headquarters for passage and national publicity at the Convention. The President stated he thought this was good and that such a resolution would help out tremendously.

The President mentioned that the "Washington Post," once a strong supporter, now seemed to be turning against him, particularly in the field of crime. He stated that Sunday's "Post" deplored the fact that the President relied upon crime statistics in order to appraise the crime situation in the District of Columbia. He stated that it was his opinion that statistics, particularly those put out by the FBI, were very valuable and that he intended to keep relying upon such statistics.

The President asked that we get right to work on the Abe Fortas matter. I told him this would be done.

The Director was advised telephonically of the above conversation. While I did not think of it at the time, it now appears that the President is considering Fortas to succeed Adlai Stevenson.

ACTION:

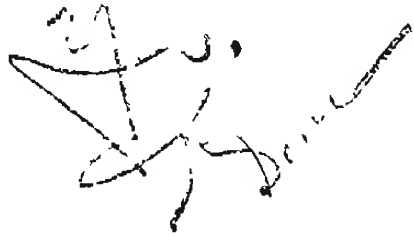
(1) I doubt that the President will now insist that the Director appear before the Fulbright Committee, particularly in view of the above arguments. Nevertheless, we should go ahead and prepare a brief for the Director in the event he is called upon to make such an appearance. This brief should include the following parts:

- (a) Reasons for the FBI's being in the Dominican Republic.
- (b) Facts substantiating the presence of communists and their attempts to take over in the Dominican Republic.
- (c) General statements regarding FBI's assistance to the U. S. Government as result of our being in the Dominican Republic. This part should also naturally include our tremendous value to the Government as a result of our responsibilities from an internal security standpoint. The technical surveillance of Bosch should, of course, be disguised as much as possible.
- (d) Attempts of communists and communist front organizations as well as extreme liberal organizations to embarrass U. S. Government policies in the Dominican Republic.

Informal DeLoach to Mr. Tolson 7-19-65

Action - Continued:

(2) The Special Investigative Division, Special Inquiry Section, should immediately initiate an investigation to bring the previous inquiry on Abe Fortas up to date. The Senators in question should be interviewed today, if at all possible. The investigation should reach the White House no later than Wednesday afternoon of this week, 7-21-65. The limitations mentioned by the President should be considered in the investigation.



RESPECTFULLY,



C. D. DE LOACH

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 7/31/85 BY SP-2TAP/DAH

Best Copy

MAY 20, 1965

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~~18 MAY 20 1965~~

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87 MAY 20 1965

SENT FROM D. 90
TIME 2:40 PM
DATE 5/21/65
BY ...

34

79 MAY 21 1965

MAIL ROOM ☐ TELETYPE UNIT ☐

ORIGINAL FILED IN 109-12-211-3029

July 28, 1965

PERSONAL

Honorable Abe Fortas
1229 19th Street, N. W.
Washington, D. C.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2 TAP/TAP

JUL 28 3 16 PM '65
FBI
READING ROOM

Dear Mr. Fortas:

My associates and I want to extend our
heartiest congratulations to you on your appointment
today by the President as an Associate Justice of the
Supreme Court of the United States. We wish you
every success as you assume your new responsibilities
and we hope you will not hesitate to let us know when-
ever we can be of service.

With kindest regards,

Sincerely yours,

J. Edgar Hoover

NOTE: Assistant Director DeLoach learned that Mr. Fortas had
been named Associate Justice of the Supreme Court and has accepted
this appointment.

GEM:cal
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REC-44

161-2860-38

15 JUL 2 1965

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Casper _____
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Tele. Room _____
Holmes _____
Gandy _____

SEP 3 1965

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TELETYPE UNIT ☐

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/31/85 BY SP-2TAP/DMF

11 August 1965

Mr. Tolson	✓
Mr. Belmont	✓
Mr. Mohr	✓
Mr. DeLoach	✓
Mr. Casper	✓
Mr. Callahan	✓
Mr. Conrad	✓
Mr. Felt	✓
Mr. Gale	✓
Mr. Rosen	✓
Mr. Sullivan	✓
Mr. Tavel	✓
Mr. Trotter	✓
Tele. Room	✓
Miss Holmes	✓
Miss Gandy	✓

My dear Mr. Hoover -

I cannot adequately tell you how grateful I am for the kind note of congratulations from you and your associates. I am, of course, a bit apprehensive about the awesome responsibilities of the Supreme Court. No man - certainly not I - is ever really prepared for this, and I shall need all of the help I can get. I can only hope that I shall be a credit to the institution and the nation.

I want to repeat to you my thanks for all that you have done, and my admiration for you and your organization. The work that I have been privileged to do recently has given me an opportunity to learn about you and your staff - and it amply justifies my high regard.

Abe Fortas

COPY:cb

REC-49

161-2860-39

12 SEP 2 1965

SENT DIRECT

8-14-65

ABE FORTAS
1229 NINETEENTH STREET, N W
WASHINGTON 6, D C

11 August 1965

My dear Mr. Hoover -

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2 JAL/STF

I cannot adequately tell you how grateful I am for the kind note of congratulations from you and your associates I am, of course, a bit apprehensive about the awesome responsibilities of the Supreme Court. No man - certainly not I - is ever really prepared for this, and I shall need all of the help I can get. - I can only hope that I shall be a credit to the institution and the nation.

I want to repeat to you my thanks for all that you have done, and my admiration for you and your organization. The work that I have been privileged to do recently has given me an opportunity to learn about you and your staff - and it amply justifies my high regard.

The Fortas

7/19/65

To: SAC, Washington Field

**ABE FORTAS, aka
SPECIAL INQUIRY
BUDED: COB 7/20/65**

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2TAP/JMF

In connection with instant investigation the White House has specifically instructed that the following United States Senators be interviewed:

George Murphy (California)

WHB:jml
(4)

Burke

1254

MAIL ROOM ☒ TELETYPE UNIT ☐

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Federal Bureau of Investigation
Records Branch

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☐ Name Searching Unit - Room 6527
☐ Service Unit - Room 6524
☐ Forward to File Review
☐ Attention *MA*
☒ Return to

Supervisor Room Ext

Type of References Requested:

☐ Regular Request (Analytical Search)
☒ All References (Subversive & Nonsubversive)
☐ Subversive References Only
☐ Nonsubversive References Only
☐ Main References Only

Type of Search Requested

☐ Restricted to Locality
☐ Exact Name Only (On the Nose)
☒ Buildup ☐ Variations

into 11-19-64

Subject *Abraham Fortas*

Birthdate & Place

Address *Abe**14-10*Localities *Memphis, Tenn.**D.C.*R# Date Searcher Initials *CR*Prod. *Abe* FILE NUMBER SERIAL

<i>Look</i>	<i>161-2860</i>	
<i>Look</i>	<i>101-1605</i>	
<i>ND</i>	<i>58-5320-125121</i>	
<i>ND</i>	<i>109-12-211-3911, 2921</i>	
<i>ND</i>	<i>2793, 3071, 3132, 2932</i>	
<i>ND</i>	<i>2967, 2922, 2951, 2976</i>	
<i>ND</i>	<i>3622, 3015, 2937, 3066, 4415</i>	
<i>ND</i>	<i>3180, 3184, 4246, 4245, 4344</i>	
<i>ND</i>	<i>14-2-350-A WPEN</i>	
<i>ND</i>	<i>72-3088 1396</i>	
<i>ND</i>	<i>25-1-2312-178</i>	
<i>ND</i>	<i>15-10-107-251</i>	<i>fill</i>
<i>ND</i>	<i>105-128082-17</i>	<i>fill</i>
<i>ND</i>	<i>105-1-0-32-12</i>	
<i>SE I</i>	<i>161-2848-812, 51, 80, 101</i>	<i>ND</i>
<i>NP</i>	<i>129-12-241-231</i>	
	<i>Abraham</i>	
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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUL 19 1965

TELETYPE

FBI WASH DC

633 PM URGENT 7-19-65 BJH

TO WASHINGTON FIELD CHICAGO MEMPHIS
FROM DIRECTOR 1 P

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2 TAP/JHT

ABE FORTAS, AKA ABRAHAM FORTAS, SPECIAL INQUIRY, BUDED*
COB JULY TWENTY NEXT.

WHITE HOUSE HAS REQUESTED RUSH INVESTIGATION OF FORTAS
WHO IS BEING CONSIDERED FOR PRESIDENTIAL APPOINTMENT, POSITION
INVOLVED NOT STATED. BORN JUNE FOURTEEN, NINETEEN TEN, MEMPHIS,
TENNESSEE, AND RESIDES THIRTY TWO FIVE N STREET, N.W., WDC.
HE IS MEMBER OF LAW FIRM ARNOLD, FORTAS AND PORTER.

SEE URFILES INDICATING SPI CONDUCTED NINETEEN SIXTYFOUR.
BRING UP TO DATE IN ACCORDANCE WITH CURRENT SPI STANDARDS.

CHECK RECORDS OF APPROPRIATE BARS AND BAR ASSOCIATIONS
INCLUDING ABA.

CONDUCT NO NEIGHBORHOOD INVESTIGATION WITHOUT PRIOR BUREAU
APPROVAL.

DUE TO EXPEDITE NATURE OF REQUEST RESULTS OF INVESTIGATION
MUST REACH BUREAU BY COB TUESDAY JULY TWENTY NEXT WITHOUT FAIL.
IF NECESSARY SUBMIT TELETYPE SUMMARIES IN LANGUAGE SUITABLE FOR
DISSEMINATION FOLLOWED BY REPORT. NO DELAY WILL BE TOLERATED.

PAGE TWO

WFO, WHITE HOUSE HAS REQUESTED VARIOUS SENATORS BE
INTERVIEWED, IDENTITIES BEING FURNISHED BY SEPARATE AIRTEL.

ASSIGN TO MATURE AND EXPERIENCED PERSONNEL.

SPIN.

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7/19/65

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TELETYPE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 2/31/85 BY SP-2 TAP/DAC

TO SACS WASHINGTON FIELD - KNC. (4) (BSM)
CHICAGO
MEMPHIS

633 PUGH

FROM DIRECTOR FBI

ABE FORTAS, AKA ABRAHAM FORTAS, SPECIAL INQUIRY, BUDED:
COB JULY TWENTY NEXT.

WHITE HOUSE HAS REQUESTED RUSH INVESTIGATION OF FORTAS
WHO IS BEING CONSIDERED FOR PRESIDENTIAL APPOINTMENT, POSITION
INVOLVED NOT STATED. BORN JUNE FOURTEEN, NINETEEN TEN, MEMPHIS,
TENNESSEE, AND RESIDES THIRTY TWO FIVE N STREET, N.W., WDC.
HE IS MEMBER OF LAW FIRM ARNOLD, FORTAS AND PORTER.

SEE URFILES INDICATING SPI CONDUCTED NINETEEN SIXTYFOUR.
BRING UP TO DATE IN ACCORDANCE WITH CURRENT SPI STANDARDS.

CHECK RECORDS OF APPROPRIATE BARS AND BAR ASSOCIATIONS
INCLUDING ABA.

161-2860-41

CONDUCT NO NEIGHBORHOOD INVESTIGATION WITHOUT PRIOR BUREAU
APPROVAL.

NOTED 7-20-65

6 JUL 20 1965

DUE TO EXPEDITE NATURE OF REQUEST RESULTS OF INVESTIGATION
MUST REACH BUREAU BY COB TUESDAY JULY TWENTY NEXT WITHOUT FAIL.
IF NECESSARY SUBMIT TELETYPE SUMMARIES IN LANGUAGE SUITABLE FOR
DISSEMINATION FOLLOWED BY REPORT. NO DELAY WILL BE TOLERATED.

WMB:JE
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NOTE PAGE 2.

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TELETYPE TO SACS WFO, CG AND ME
RE: ABE FORTAS

WFO, WHITE HOUSE HAS REQUESTED VARIOUS SENATORS BE
INTERVIEWED, IDENTITIES BEING FURNISHED BY SEPARATE AIRTEL.
ASSIGN TO MATURE AND EXPERIENCED PERSONNEL.
SPIN.

NOTE: Request received today through Mr. DeLoach's office.
See memo Mr. DeLoach to Mr. Tolson re request.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE WASHINGTON FIELD	OFFICE OF ORIGIN BUREAU	DATE 7/20/65	INVESTIGATIVE PERIOD 7/20/65
TITLE OF CASE ABE FORTAS, aka Abraham Fortas		REPORT MADE BY [REDACTED]	TYPED BY ejm
		CHARACTER OF CASE SPI	

REFERENCES: Bureau telephone call to WFO 7/19/65;
Bureau teletype dated 7/19/65;
Bureau airtel dated 7/19/65.

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2TAR/JHP

LEADWASHINGTON FIELD

AT WASHINGTON, D. C. Will report results of interview with U.S. Senator EUGENE J. MC CARTHY from Minnesota when available for interview.

~~Will report results of check of libraries of "Washington Star" newspaper and "Washington Daily News" newspaper when received.~~

APPROVED JDP/m SPECIAL AGENT IN CHARGE
COPIES MADE

1- Bureau
1- WFO (161-2419)

DO NOT WRITE IN SPACES BELOW

161-2860-42

NOT RECORDED

2 SEP 16 1965

Dissemination Record of Attached Report

Agency				
Request Recd				
Date Fwd				
How Fwd				

Notations

WFO 161-2419

ADMINISTRATIVE

A review of WFO indices and a review of the case file regarding FORTAS and the main file on the Americans for Democratic Action (ADA) failed to indicate any membership for the appointee in the ADA or any reference to him in connection with the ADA.

- B* -

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to

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Report of
Date

[REDACTED]

7/20/65

Office. Washington, D. C.

Field Office File #

161-2419

Bureau File #

Title

ABE FORTAS

Character

SPECIAL INQUIRY

Synopsis

Law practice with ARNOLD, FORTAS, and PORTER verified. White House records contained nothing additional. Comments of U.S. Senators set forth. Satisfactory credit record and no record police agencies for appointee and wife. HCUA, State Passport, and CSC nothing additional. Bar records favorable.

- P -

DETAILS: AT WASHINGTON, D. C.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2TAP/JHF

WFO 161-2419

ELN:lsr

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EMPLOYMENT

Arnold, Fortas, and Porter
1229 19th Street, N. W.

The following interviews were conducted on July 20,
1965:

[redacted] advised he has been acquainted with the appointee since 1933 when the appointee graduated from Yale Law School at the top of his class. He added that the appointee was Chairman of the Law Review at that school. He stated the appointee was made a faculty member of the Yale Law School after graduating and remained on the faculty for several years. He said he and the appointee were associated with the Agricultural Adjustment Administration during 1933 - 1934 and he has been in constant touch with the appointee's entire career until the present time. [redacted] stated that when he resigned from the bench in the middle 1940's, he and the appointee formed a law partnership and they have been **together** until the present time. He remarked that he considers the appointee to be a very outstanding attorney who is very capable and has a very high reputation in the legal profession. He said there has never been any question concerning the appointee's character, integrity, or ethics and he is certain he is a loyal American and devoted to the best interests of the United States. According to [redacted] the appointee's associates are all individuals of excellent character. In conclusion, he advised he would give the appointee the highest recommendation for an appointment to a position of trust.

[redacted], advised he joined the law firm in 1961, and has worked fairly extensively with the appointee on cases until the present time. He said he has the

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WFO 161-2419

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highest regard for FORTAS as an attorney and as a person and considers him to be a very outstanding attorney. He recommended the appointee for a position of trust and confidence, adding that he is certain there is no question concerning the moral character, loyalty, or reputation, or associates of the appointee.

[redacted] advised he first met the appointee in 1960 when [redacted] became a partner in the firm. He stated that he and the appointee have worked closely together on a number of cases and he has been in the appointee's home on various occasions when the appointee has entertained clients. He remarked that he has the same favorable opinion of the appointee that he had expressed to the FBI in October, 1964. He recommended the appointee highly for a position of trust and confidence.

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[redacted] advised he was associated with Mr. ARNOLD in the firm of Arnold and Wyprud in 1945 and he met the appointee during the early part of 1946 when ARNOLD and FORTAS formed the firm of Arnold, Fortas, and Porter. He said he has had daily professional contacts with the appointee since 1946 and that he has also had some social contact with him and his wife [redacted]

[redacted] He remarked he considers the appointee to be the "most brilliant lawyer that he knows." He said his ethical standards and morals are above reproach and he has never seen the appointee drink to excess. He said he would give the appointee the highest recommendation for appointment to a position of trust. He stated he has never seen nor heard anything that would cause him to question the appointee's loyalty, honesty, integrity, or associates.

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[redacted] advised he first met the appointee at the Yale Law School in 1935 when the

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WFO 161-2419

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appointee was on the faculty of the school. [redacted]

[redacted] He said at that time, [redacted] was in charge of the Moot Court Training at Yale Law School. [redacted] stated he has had extremely close contact with the appointee since 1951 when he joined the firm of Arnold, Fortas, and Porter, and they have practiced closely together on anti-trust cases. He said he has also had a great deal of social contact with the appointee and his wife at social dinners at their home at 3025 N Street, N. W., where they presently reside. He described FORTAS as the "greatest lawyer who ever came down the pike." He said the appointee is very thorough and his attention to details is incredible. He remarked that FORTAS has an incredible ability to single out a clean-cut scheme from a mass of information.

He said that in legal discussions with the appointee, the appointee "sharpens up the thinking of the other attorneys and if he leaves the firm, it will be a great loss.

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[redacted] stated that he considers the appointee to be a loyal American citizen and there is certainly no question concerning his moral character, integrity, personal habits, or associates. He added that the appointee enjoys a very good reputation, both personal and professional. In conclusion, he advised he would give the appointee his highest recommendation for a position of trust and confidence.

The White House Office

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On July 20, 1965, [redacted] Personnel Officer, The White House Office, advised SA [redacted] that her files contained no record regarding the appointee.

On July 20, 1965, [redacted] Chief of Records, The White House Office, advised his records contained no additional pertinent information concerning the appointee.

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WFO 161-2419

ELN:ejm

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Inquiry at the firm of ARNOLD, FORTAS, and PORTER revealed [REDACTED] was away from the Washington, D. C., area and not available for interview.

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WFO 161-2419

GLS:msh

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United States Senators

The following investigation was conducted by
SA [REDACTED] on July 20, 1955.

United States Senator THOMAS H. KUCHEL, California, advised that he has met ABE FORTAS on occasion but he has never had any close personal contact with him. He advised that FORTAS enjoys an excellent reputation as an attorney and that he has never heard anything unfavorable connected with his name. He stated he would be unable to make any further comment.

United States Senator ROBERT F. KENNEDY, New York, advised that he has no personal knowledge of ABE FORTAS and has only met him on one or two occasions. He stated that FORTAS to his knowledge is a reputable attorney and that he has never heard anything unfavorable concerning him. He stated he would be unable to furnish any additional information and would be unable to make a concrete or positive recommendation.

United States Senator BOURKE B. HICKENLOOPER, Iowa, advised that he has met ABE FORTAS on two or three occasions but that he has not had close enough contact to develop a firm opinion of him. He stated that he did not feel he was qualified to make a recommendation.

United States Senator NORRIS COTTON, New Hampshire, advised that he had heard the name ABE FORTAS as an outstanding attorney but that he had no personal association with him and therefore would be unable to make further comment.

United States Senator PAUL H. DOUGLAS, Illinois, advised that he heard the name ABE FORTAS through the years and that to his knowledge by reputation he believes FORTAS to be "an extremely able fellow" and that he has never heard anything unfavorable concerning his character, associates, reputation or loyalty. Senator DOUGLAS stated that he did not feel that he

WFO 161-2419

2

was qualified to make any further comments due to his lack of personal knowledge of the appointee.

✓ United States Senator EVERETT MC KINLEY DIRKSEN, Illinois, advised that he has never had any close personal contact with ABE FORTAS and that he knows very little about the gentleman except for the fact that FORTAS enjoys an excellent reputation as far as his legal knowledge and ability is concerned. Senator DIRKSEN stated that he has never heard anything unfavorable concerning his character, associates, reputation or loyalty, and that he would be unable to make any further comments.

WFO 161-2419

GES:eeb

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On July 20, 1965, U. S. Senator MIKE MANSFIELD, Montana, advised that he has known ABE FORTAS for over twenty years primarily on a professional basis in connection with his, FORTAS', contact with the Hill. He stated that he first met the appointee when he, FORTAS, held position with the Department of the Interior. He stated that FORTAS enjoys an excellent reputation and that he is highly regarded in the field of law. He stated that he has never heard or observed anything which would reflect unfavorably upon his character, associates, reputation or loyalty and would have no hesitancy in recommending him for a position of trust and confidence.

WFO 161-2419

JHD:ssk

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The following interviews were conducted by SA
JAMES H. DILLON on July 20, 1965:

U.S. Senator ROMAN L. HRUSKA, Nebraska, advised that he has known FORTAS for approximately ten years on a professional basis. HRUSKA stated he met FORTAS when he came to Congress and considered this man to be one of the top attorneys and Presidential, Congressional and Judicial advisors in the Washington area. Senator HRUSKA advised he has had some social contact with FORTAS and considers him to be an individual of high moral character who is well regarded as an excellent reputation and in his opinion is a loyal citizen. Senator HRUSKA stated he has never heard anything of a derogatory nature concerning FORTAS and he would recommend him to any position of trust and confidence that the President saw fit to appoint him.

U.S. Senator HOWARD W. CANNON, Nevada, advised he has known ABE FORTAS for six to eight years and that he met him professionally either shortly before he came to Washington or when he arrived in Washington. Senator CANNON stated his relationship with FORTAS has been mainly professional and he is held in high regard by members of Congress and other related fields in Washington. Senator CANNON stated he considers FORTAS to be a very capable person and he has never heard anything of a derogatory nature concerning him. Senator CANNON stated further he believed FORTAS has a very good reputation, is of high moral character and a loyal citizen, and he would not hesitate to recommend him to a position of trust and confidence.

U.S. Senator GEORGE MURPHY, California, advised he has known of ABE FORTAS by reputation for approximately 25 years, and has known him on a professional basis for approximately 15 years. Senator MURPHY stated he has limited contact with FORTAS but knows that he has been an advisor of Presidents since the Roosevelt Administration and has never heard of anything of a derogatory nature concerning FORTAS. Senator MURPHY stated he would recommend him to a position of trust and confidence.

WFO 161-2419

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U.S. Senator EDWARD M. KENNEDY, Massachusetts, advised he has heard of ABE FORTAS, an attorney in the Washington area, but does not know him personally, and knows nothing concerning this man. Based on this, Senator KENNEDY stated he could not make any statement one way or the other concerning FORTAS.

WFO 161-2419

ELN:mbp

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CREDIT AND POLICE AGENCIES

IC [] caused a search to be made of the files of [] which contained a satisfactory credit record regarding the appointee [] whose address was shown as 3025 N Street, N. W.

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On July 20, 1965, IC [] determined that the files of the Metropolitan Police Department contained no record regarding the appointee or his wife. It is to be noted that at all times an indefinite number of unidentified records are out of file and not available for review.

On July 20, 1965, IC [] searched the files of the United States Park Police and no record was found concerning the appointee or his wife.

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MISCELLANEOUS

On July 20, 1965, IC [] determined that the files of the House Committee on Un-American Activities contained no additional pertinent information concerning the appointee.

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On July 20, 1965, IC [] caused a search to be made of the files of the Passport Office, Department of State, which contained no additional pertinent information concerning the appointee.

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On July 20, 1965, [] Chief, Dockets Division, Federal Communications Commission (FCC), advised her records indicated the appointee was admitted to practice before the FCC on March 26, 1946 and is in good standing. She stated her records did not indicate any grievances have been filed against the appointee.

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WFO 161-2419

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On July 20, 1965, [redacted] Attorney, 815 Connecticut Avenue, N.W., advised he was the new Secretary of the Federal Communications Bar Association. He stated that his records indicated the appointee is presently a member in good standing and no grievances have been filed against him. The exact date the appointee became a member of the association was not contained in his records.

The following investigation was conducted by IC [redacted] on July 20, 1965:

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The records of the Lawyers Register, United States District Court for the District of Columbia, contained no additional pertinent information.

The records of the Committee on Admissions and Grievances, United States District Court for the District of Columbia, contained no additional pertinent information concerning the appointee.

The records of the Federal Bar Association revealed the appointee is presently a member of the association and in good standing.

The records of the District of Columbia Bar Association revealed the appointee is still a member of the association and in good standing.

The records of the United States Supreme Court revealed FORTAS was admitted to practice before the court on January 15, 1940, and is in good standing.

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On July 20, 1965, IC [redacted] reviewed the file regarding the appointee at the Bureau of Personnel Investigations, Civil Service Commission, which contained no additional pertinent information.

WFO 161-2419

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On July 20, 1965, IC [] reviewed the file regarding the appointee at the Protective Research Section, U. S. Secret Service, which revealed he was issued a permanent White House pass on December 20, 1963, and this pass is presently in effect. The file contained no additional pertinent information.

On July 20, 1965, IC [] reviewed the newspaper clippings at the Libraries of the "Washington Star" newspaper and the "Washington Daily News" newspaper which contained no additional pertinent information.

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WFO 161-2419

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On July 20, 1965, [redacted] Deputy Director, Administrative Office, United States Supreme Court, advised SA [redacted] that the appointee is presently a member of the Committee on Rules of Practice and Procedure of the Judicial Conference of the United States and was last appointed to this position in October, 1962, for a 4-year term.

On July 20, 1965, Judge CHARLES FAHY, United States Court of Appeals for the District of Columbia Circuit Court, advised SA [redacted] that he has the same favorable opinion of the appointee that he expressed when interviewed by the Federal Bureau of Investigation in November, 1964. He stated that he would highly recommend him for a position of trust and confidence with the Government.

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FEDERAL BUREAU OF INVESTIGATION

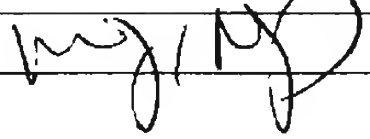
REPORTING OFFICE CHICAGO	OFFICE OF ORIGIN BUREAU	DATE 7/20/65	INVESTIGATIVE PERIOD 7/20/65
TITLE OF CASE ABE FORTAS, aka		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 20px;"></div>	TYPED BY jeo
		CHARACTER OF CASE SPI	

REFERENCES: Bureau teletype to Washington Field, 7/19/65.
Chicago teletype to Director, 7/20/65.

- RUC -

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2 TAP/HMF

- A* -
COVER PAGE

APPROVED 	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
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Dissemination Record of Attached Report		Notations	
Agency			
Request Recd			
Date Fwd			
How Fwd			
By			

55 SEP 30 1965

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:
Date:SA [REDACTED]
7/20/65

Office: Chicago, Illinois

Field Office File #:

161-931

Bureau File #:

b6

Title

ABE FORTAS

b7C

Character

SPECIAL INQUIRY

Synopsis:

Appointee current member in good standing of American Bar Association, Chicago. Acquaintance endorses.

- RUC -

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DATE 7/31/85 BY SP6-27AP/JMK

DETAILS:

Affiliation

American Bar Association (ABA)
1155 East 60th Street
Chicago, Illinois

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[redacted] advised from ABA records on July 20, 1965, that ABE FORTAS, born June 19, 1910, Memphis, Tennessee, became an ABA member on July 14, 1938 and is at present a current member in good standing.

She stated that he was admitted to the Bar in the State of Connecticut in 1934. His record contains no unfavorable information or any grievances and his present address is shown as 1229 19th Street N.W., Washington, D. C.

[redacted] advised that she could not suggest anyone with the national organization of the ABA, Chicago, who might be acquainted with the appointee.

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Acquaintance

[redacted]
First National Bank, 38 South Dearborn Street, Chicago, advised on July 20, 1965 that he has been acquainted with the appointee for a good number of years on a personal basis. He said the appointee is most capable in his profession, a patriotic American citizen, emotionally stable, and an individual who would be an asset to the United States Government.

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[redacted] advised he would endorse the appointee for any position of trust for which he might be under consideration.

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE MEMPHIS	OFFICE OF ORIGIN BUREAU	DATE 7/20/65	INVESTIGATIVE PERIOD 7/20/65
TITLE OF CASE ABE FORTAS, aka Abraham Fortas		REPORT MADE BY S. [REDACTED]	TYPED BY wp
		CHARACTER OF CASE SPECIAL INQUIRY	

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REFERENCE

Bureau teletype to WFO, Chicago and Memphis dated 7/19/65.

-RUC-

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DATE 2/31/85 BY SP-2TAP/DHS

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		NOT RECORDED 12 JUL 22 1965	
Dissemination Record of Attached Report		Notations	
Agency		<i>[Signature]</i> Spec. Inq.	
Request Recd.			
Date Fwd			
How Fwd			
B			

55 SEP 30 1965

**UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION**

Copy to:

Report of:
Date:

SA [REDACTED]
July 20, 1965

Office: **Memphis**

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b7C

Field Office File #: **ME 161-127**

Bureau File #:

Title: **ABE FORTAS**

**ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2 TAP/JMF**

Character:

**SPECIAL INQUIRIES FOR WHITE HOUSE, CONGRESSIONAL
COMMITTEES, AND OTHER GOVERNMENT AGENCIES**

Synopsis:

**No record located, Memphis Police Department, or
Shelby County Sheriff's Office, for ABE FORTAS.**

[REDACTED]

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**No credit record
located for ABE FORTAS. Continued residence of
relatives in Memphis verified.**

-RUC-

DETAILS:

On July 20, 1965, [REDACTED]
Identification Division, Memphis Police Department, and
[REDACTED] Identification Division, Shelby
County Sheriff's Office, Memphis, Tennessee, advised
SA [REDACTED], that there was no record in
their offices for ABE FORTAS.

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On July 20, 1965, [REDACTED]
[REDACTED] advised SA [REDACTED] that [REDACTED]
[REDACTED] have satisfactory credit
records, but she could locate no record for ABE FORTAS.

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On July 20, 1965, [REDACTED]
Commerce Title Building, Memphis, Tennessee, advised that
he was personally acquainted with [REDACTED]

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ME 161-127

[REDACTED]
[REDACTED] and that all three of these
individuals continue to reside in Memphis, as they have
for a great number of years.

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Tolson _____
 Belmont _____
 Mohr _____
 DeLoach _____
 Casper _____
 Callahan _____
 Conrad _____
 Felt _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Tele Room _____
 Holmes _____
 Gandy _____

DECODED COPY

☐ AIRGRAM ☐ CABLEGRAM ☒ RADIO ☐ TELETYPE

R-80

URGENT 7-20-65 4:12 PM

TO DIRECTOR

FROM MEMPHIS 201931

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 7/31/85 BY SP-2TAP/DHF

ABE FORTAS, AKA ABRAHAM FORTAS. SPI.

REBUTEL JULY 19 LAST.

ONLY LOGICAL INVESTIGATION, MEMPHIS, CONSISTS OF CRIMINAL
 AND CREDIT ON FORTAS AND [REDACTED] ON THIS DATE

[REDACTED] IDENTIFICATION DIVISION, MPD AND [REDACTED]
 [REDACTED] IDENTIFICATION DIVISION SHELBY COUNTY SO, ADVISED THEY
 HAVE NO RECORD OF ABE FORTAS [REDACTED]

ON SAME DATE [REDACTED]
 ADVISED ALL OF ABOVE HAVE SATISFACTORY CREDIT RECORDS, EXCEPT
 SHE COULD LOCATE NO RECORD OF ABE FORTAS. REPORT FOLLOWS. P.

RECEIVED: 5:12 PM MSE

161-2860-45
NOT RECORDED

2 SEP 16 1965

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUL 20 1965

TELETYPE

Mr. Tolson	
Mr. Belmont	
Mr. Mohr	
Mr. DeLoach	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	b6
Miss Gandy	b7C

FBI WASH DC

FBI CHICAGO

1 26 PM CDST URGENT 7-20-65 JAZ

TO DIRECTOR

FROM CHICAGO (161-931) 1P

ABE FORTAS, AKA. SPI.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-12AP/HF

REBUTEL TO WFO, JULY ONE NINE LAST, AND REPORT OF SA [REDACTED]

[REDACTED] CHICAGO, NOVEMBER TWO, NINETEEN SIXTY FOUR.

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CHECK OF ABA RECORDS, CHICAGO, JULY TWENTY, INSTANT, REVEALS
SAME INFORMATION RE APPOINTEE AS REPORTED IN ABOVE REFERENCED CHICAGO
REPORT. APPOINTEE'S CURRENT ADDRESS, ONE TWO TWO NINE NINETEENTH
STREE, N.W., WASHINGTON, D.C.

[REDACTED] FIRST NATIONAL
BANK, CHICAGO, STATED JULY TWENTY INSTANT, APPOINTEE MOST CAPABLE
IN HIS PROFESSION, PATRIOTIC, EMOTIONALLY STABLE, AND WOULD BE ASSET
TO U.S. GOVERNMENT. RECOMMENDS.

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REPORT FOLLOWS.

END

WA...BJH

FBI WASH DC

TU CLR

161-2860-46
NOT RECORDED

2 SEP 16 1965

RECORDED 1005

F B I

Date 7/21/65

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI
FROM: SAC, WFO (161-2419) (RUC)
ABE FORTAS, aka
SPI

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Rerep of SA [REDACTED] dated 7/20/65.

On 7/21/65, U. S. Senator EUGENE J. McCARTHY from Minnesota advised SA [REDACTED] that he knows the appointee slightly on a professional and social basis through contacts with him at the White House. He said everything he has heard regarding FORTAS has been favorable. He advised he did not feel he was well enough acquainted with FORTAS to make any recommendation concerning him.

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2 TAP/CHC

1 - Bureau
1 - WFO

EBN:eeb
(2)

AIRTEL

161-2860-47
NOT RECORDED
2 SEP 16 1965

[Handwritten signature]

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
 Belmont _____
 Mohr _____
 DeLoach _____
 Casper _____
 Callahan _____
 Conrad _____
 Felt _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

TO Mr. Gale *g*
 FROM W. V. Cleveland *WVC*
 SUBJECT ABE FORTAS
 SPECIAL INQUIRY - WHITE HOUSE

DATE 7/21/65

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 2/31/85 BY *SP-10/1/85*

PURPOSE: To recommend the results of investigation concerning Fortas, requested by the President, be furnished the White House.

BACKGROUND: Fortas, aged 55, is an attorney with the firm of Arnold, Fortas and Porter, Washington, D. C. On 7/18/65 the President advised he was seriously thinking of appointing Fortas to a major departmental position. He requested the prior investigation of Fortas be brought up to date and furnished the names of eleven Senators he desired we interview concerning Fortas.

RESULTS OF INVESTIGATIONS: We investigated Fortas under the Hatch Act in 1941 and 1942 and a Special Inquiry was conducted concerning him in October and November, 1964. A summary memorandum containing the results of those investigations has been furnished to the White House. This memorandum dated 11/19/64 (attached) highlighted that Fortas has reportedly been a member or associated with the Washington Committee for Democratic Action, American People's Mobilization, International Juridical Association and the Southern Conference for Human Welfare, each of which has either been cited by the House Committee on Un-American Activities or designated pursuant to Executive Order 10450. When interviewed in 1942 Mr. Fortas denied under oath ever having been a member of the Washington Committee for Democratic Action, the American Peace Mobilization or the American People's Mobilization. He did admit having been a member of the National Lawyers Guild which was cited by the House Committee on Un-American Activities as a communist front in 1944 but stated that he had resigned from this organization in about 1940.

EX-100
 2 SEP 21 1965
 100-31161-2860-48

During the current inquiries the Senators mentioned by the President in his request were interviewed, with the exception of Senator Eugene J. McCarthy of Minnesota, who was not available. Those well acquainted with Fortas, including Senators Roman L. Hruska (Republican) from Nebraska, Howard W. Cannon (Democrat) from Nevada and George L. Murphy (Republican) from California, recommended him for a position of trust. The remaining Senators who were not acquainted with Fortas, or not well acquainted, made no recommendation concerning him due to their lack of personal knowledge of him. Senator Michael J. Mansfield

Enclosures / ENCLOSURE

1 - Mr. Belmont
 1 - Mr. Gale
 1 - Mr. Cleveland
 1 - Mr. DeLoach
 1 - Mr. Sullivan
 1 - Mr. Auerswald

CONTINUED - OVER

55 SEP 30 1965
 OJA:bjp (7)

Memorandum Cleveland to Gale
RE: ABE FORTAS, SPECIAL INQUIRY - WHITE HOUSE

(Democrat) from Montana, who was also interviewed, has known Fortas for over 20 years and recommended him for a position of trust. Senator Mansfield was not one of those specifically mentioned by the President.

A careful check of Bureau files and the files of the Washington Field Office failed to disclose any information indicating membership on the part of Fortas in the Americans for Democratic Action, and persons interviewed during our investigations of Fortas furnished no information indicating membership on his part in that organization. In September, 1964, the White House furnished a list of approximately 300 names of officers, board members and founders of the Americans for Democratic Action to be checked through Bureau files. Fortas' name does not appear on this list. The Bureau has never investigated the Americans for Democratic Action and a complete membership list is not available.

STATUS:

The investigation is complete, except for interview of Eugene J. McCarthy, United States Senator from Minnesota, who will be interviewed as soon as he is available.

ACTION:

Attached for approval is a letter transmitting a summary memorandum to Mr. Watson at the White House, which should be delivered by Liaison.

✓ ✓ OK. MLO
JLH

Best Copy

July 19, 1965

MR. TOLSON:

~~CONFIDENTIAL~~

The President called at approximately 5:20 p.m. Sunday, 7-18-65, and talked for approximately 25 minutes.

The President mentioned he was seriously thinking of appointing Abe Fortas to a major departmental position. He stated he knew we had investigated Fortas sometime ago at his, the President's, specific instructions, however, he thought that this investigation should be brought up to date. He stated he remembered that Fortas had belonged to a number of communist front organizations back in the early 1940's, however, he placed no credence on these facts inasmuch as Fortas since had matured and was now a well trusted, loyal individual. The President stated he trusted Fortas as much as he did Lady Bird and even more so with respect to advice regarding business and international matters.

The President advised that he intended naming Fortas to this position within the next day or so. He stated he wanted to find out first exactly what opposition he would encounter after he named Fortas. He stated he thought we should interview a number of Senators and get them on record. He then named Senator Cannon, Eugene McCarthy, Douglas, Senator Bob Kennedy and Senator Ed Kennedy. (I interrupted the President at this point and asked him if he was serious. He replied that he certainly recognized that the Senators would give Abe Fortas a bad name, however, he thought he should go on record in order to prevent these Senators from issuing adverse press statements later on.) The President added Senators Kuchel and Dirksen. With respect to Senator Dirksen, the President stated that Dirksen was in a bad way physically and he was afraid he would be losing him within the next several weeks. The President added he wanted a number of conservative Senators interviewed. He then named Hruska, Wickenlooper, Colson and Murphy of California. He stated that Murphy would know nothing about Abe Fortas, however, "it would be a good idea to get him on record."

The President specifically stated he wanted our Agents, if questioned, to intimate that Fortas was to be appointed to a presidential advisory commission. He stated this, of course, was not true, however, he wanted to keep from arousing comment as much as possible. I told the President that FBI interview of the Senators named above would certainly cause comment. He replied he knew this, however, hoped that the Agents could handle this investigation as quietly as possible.

~~CONFIDENTIAL~~

CONTINUED NEXT PAGE

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(2)

161-2860-48
ENCLOSURE

- Best Copy -

Informal DeLoach to Mr. Tolson 7-19-65

The President turned to other things. He stated that, "Edgar had done a good job with the Evening Star." He mentioned it was quite obvious that we had talked with representatives of the Star and that this paper had now turned to his favor. I told the President that the Director had made a very careful check as to any known animosity towards him, however, we had failed to find there was any animosity in this regard.

The President stated he was concerned about the future hearings to be held by the Fulbright Committee regarding U. S. intervention in the Dominican Republic. He stated before the hearings were over with, he anticipated that he would find it necessary to ask the Director to testify regarding the fact there had been communists attempting to take over the Dominican Republic. He added that the Director would also be in a position to testify regarding communist attempts in the United States to embarrass United States Government policy in the Dominican Republic. I told the President that while the Director could no doubt bolster the Administration's position by his testimony, I felt it would be very inadvisable to have the FBI testify before the Fulbright Committee or any other Congressional committee. The President asked me the reason for this statement. I told him the Director, by precedent, had made it a policy not to appear before Congressional committees. I added that Senator Jim Eastland had constantly wanted the Director to appear relative to judicial appointments. I mentioned that such appearances could be both embarrassing to the Administration and most certainly would take the FBI out of the category of a nonevaluation agency. The President stated we had a point there, however, he would have to think about the matter.

The President told me that Senator Tom Dodd had been doing an excellent job for the Administration. He stated that Dodd's speeches on the Floor of the Senate had been very helpful. He then added that the Director had also been doing an excellent job in fomenting public opinion against communist efforts to embarrass the U. S. Government in Vietnam and the Dominican Republic. The President stated he was concerned, however, about the fact that we appeared to be losing the battle against college professors and on college and university campuses. He stated there were also bad rumblings in Government about our policies in Vietnam particularly. The President stated that he wanted to get more Johnson men in this Administration. He added that such men were particularly needed in the State Department.

I told the President that Senator Dodd had received and accepted an invitation to be one of the principal speakers before The American Legion Convention next month in Portland, Oregon. The President stated this was fine and that he hoped some guidance could be given to Senator Dodd relative to the type speech that should be made. I told him that the Director had already had me give Senator Dodd considerable material in this regard, some of which Senator Dodd had already used on the Floor of the Senate.

Best Copy

Informal DeLoach to Mr. Tolson 7-10-65

~~CONFIDENTIAL~~

The President asked if I could have prepared a resolution which will be passed before The American Legion defending his position in Vietnam and the Dominican Republic. I told him that the Director had already approved such a resolution and that The American Legion in Virginia this coming week would pass this resolution and send it on to National Headquarters for passage and national publicity at the Convention. The President stated he thought this was good and that such a resolution would help out tremendously.

The President mentioned that the "Washington Post," once a strong supporter, now seemed to be turning against him, particularly in the field of crime. He stated that Sunday's "Post" deplored the fact that the President relied upon crime statistics in order to appraise the crime situation in the District of Columbia. He stated that it was his opinion that statistics, particularly those put out by the FBI, were very valuable and that he intended to keep relying upon such statistics.

The President asked that we get right to work on the Abe Fortas matter. I told him this would be done.

The Director was advised telephonically of the above conversation. While I did not think of it at the time, it now appears that the President is considering Fortas to succeed Adlai Stevenson.

ACTION:

(1) I doubt that the President will now insist that the Director appear before the Fulbright Committee, particularly in view of the above arguments. Nevertheless, we should go ahead and prepare a brief for the Director in the event he is called upon to make such an appearance. This brief should include the following parts:

- (a) Reasons for the FBI's being in the Dominican Republic.
- (b) Facts substantiating the presence of communists and their attempts to take over in the Dominican Republic.
- (c) General statements regarding FBI's assistance to the U. S. Government as result of our being in the Dominican Republic. This part should also naturally include our tremendous value to the Government as a result of our responsibilities from an internal security standpoint. The technical surveillance of Bosch should, of course, be disguised as much as possible.
- (d) Attempts of communists and communist front organizations as well as extreme liberal organizations to embarrass U. S. Government policies in the Dominican Republic.

~~CONFIDENTIAL~~

CONTINUED NEXT PAGE

Best Copy

Informal DeLoach to Mr. Tolson 7-19-65

Action - Continued:

(2) The Special Investigative Division, Special Inquiry Section, should immediately initiate an investigation to bring the previous inquiry on Abe Fortas up to date. The Senators in question should be interviewed today, if at all possible. The investigation should reach the White House no later than Wednesday afternoon of this week, 7-21-65. The limitations mentioned by the President should be considered in the investigation.

[Handwritten signature]

[Handwritten mark]

RESPECTFULLY,

[Handwritten signature]

C. D. DE LOACH

~~CONFIDENTIAL~~

1 - Mr. Belmont
1 - Mr. DeLoach
1 - Mr. Sullivan
1 - Mr. Gale
1 - Mr. Cleveland
1 - Mr. Auerswald

July 21, 1965

BY LIAISON

Honorable Marvin Watson
Special Assistant to the President
The White House
Washington, D. C.

Dear Mr. Watson:

Transmitted herewith is a summary memorandum containing the results of investigation which was requested by the President on July 18, 1965, concerning Mr. Abe Fortas.

An investigation was conducted concerning Mr. Fortas under the provisions of the Hatch Act in 1941 and 1942. The White House has been furnished a summary memorandum dated November 19, 1964, containing the results of that investigation as well as the results of an applicant-type investigation conducted regarding Mr. Fortas in October and November, 1964. The enclosed summary memorandum covers Mr. Fortas' activities since November, 1964.

Eugene J. McCarthy, United States Senator from Minnesota, has not been available for interview. When Senator McCarthy is interviewed, the results will be furnished to you.

The investigation of Mr. Fortas covered inquiries as to his character, loyalty, general standing and ability, but no inquiries were made as to the sources of his income.

Sincerely yours,

REC-58

RECORDED

EX-100

2 SEP 16 1965

NOTE: See memorandum Cleveland to Gale dated 7/21/65 re Abe Fortas. OJA:jm.

Enclosure

OJA:hc:jm
(8)

ENCLOSURE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2 TAP/KMF

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____

*Delivered personally
to the President
7/21/65*

JUL 21 9 15 AM '65
FBI
READING ROOM

1 copy to Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. DeLoach
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
7/28/65
19

July 21, 1965

~~ABRAHAM FORTAS~~
also known as Abraham Fortas

ECR 10-14-1910

SUMMARY

MEMPHIS, TENN.

The results of an investigation conducted concerning Mr. Fortas under the provisions of the Hatch Act in 1941 and 1942 and the results of an applicant-type investigation of him in October and November, 1964, were summarized in a memorandum dated November 19, 1964. This summary memorandum covers Mr. Fortas' activities since November, 1964.

Mr. Fortas has continued in the private practice of law with the firm of Arnold, Fortas and Porter, Washington, D. C.

Mr. Fortas and his wife, [redacted], reside at 3025 N Street, Northwest, Washington, D. C. [redacted]

Interviews

Unless otherwise indicated, the following individuals were interviewed in Washington, D. C.

Thomas H. Eichel, United States Senator from California, advised he has met Mr. Fortas on occasion, but has not had any close personal contact with him. He stated Mr. Fortas enjoys an excellent reputation as an attorney and said he has heard nothing unfavorable concerning him. Senator Eichel stated he would be unable to make any further comments regarding Mr. Fortas.

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____

OJA: jgm

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2 JAP/BMF

Abe Fortas

Robert F. Kennedy, United States Senator from New York, stated he has no personal knowledge of Mr. Fortas and has met him on only one or two occasions. He advised that, to his knowledge, Mr. Fortas is a reputable attorney and said he has heard nothing of an unfavorable nature concerning him. Senator Kennedy stated he is unable to furnish any additional information regarding Mr. Fortas or offer a "concrete or positive" recommendation concerning him.

Bourke B. Hickenlooper, United States Senator from Iowa, advised he has met Mr. Fortas on two or three occasions, but said he has not had sufficient contact with Mr. Fortas to develop a firm opinion of him. Senator Hickenlooper stated he does not feel qualified to make any recommendation regarding Mr. Fortas.

Norris Cotton, United States Senator from New Hampshire, advised he has heard that Mr. Fortas is an outstanding attorney. Senator Cotton said he has had no personal association with Mr. Fortas and, therefore, is unable to make any further comments concerning him.

Paul H. Douglas, United States Senator from Illinois, advised he has heard of Mr. Fortas through the years, and he described Mr. Fortas by reputation as "an extremely able fellow." He stated he has heard nothing of an unfavorable nature concerning Mr. Fortas' character, associates, reputation or loyalty. Senator Douglas advised he does not feel qualified to make any further comments regarding Mr. Fortas due to his lack of personal knowledge of Mr. Fortas.

Everett M. Dirksen, United States Senator from Illinois, advised he has had no close personal contact with Mr. Fortas. He said he knows very little about Mr. Fortas, except for the fact he enjoys an excellent reputation as far as his legal knowledge and ability are concerned. Senator Dirksen stated he has received no unfavorable information concerning Mr. Fortas' character, associates, reputation or loyalty. He advised he would be unable to make any further comments regarding Mr. Fortas.

Abe Fortas

Roman L. Hruska, United States Senator from Nebraska, advised he has known Mr. Fortas on a professional basis for approximately ten years and considers him one of the top attorneys and Presidential, Congressional and judicial advisers in the Washington, D. C., area. He stated he has had some social contact with Mr. Fortas and regards him as an individual of excellent character and reputation and a loyal American. Senator Hruska said he has heard nothing of a derogatory nature concerning Mr. Fortas and stated he would recommend him for any position of trust and confidence.

Howard W. Cannon, United States Senator from Nevada, advised he has known Mr. Fortas for six or eight years. He said his relationship with Mr. Fortas has been mainly professional and stated Mr. Fortas has a very good reputation and is highly regarded by members of Congress. Senator Cannon advised he considers Mr. Fortas a very capable person and said he has heard nothing of a derogatory nature concerning him. He said he considers Mr. Fortas a loyal American of excellent character and advised he would not hesitate to recommend him for a position of trust and confidence.

George L. Murphy, United States Senator from California, advised he has known of Mr. Fortas for approximately 25 years and has been acquainted with him on a professional basis for approximately 15 years. Senator Murphy stated he has had limited contact with Mr. Fortas and knows he has been an adviser to Presidents of the United States since the administration of the late President Franklin D. Roosevelt. He said he possesses no information of a derogatory nature concerning Mr. Fortas and stated he would recommend him for a position of trust and confidence.

Edward M. Kennedy, United States Senator from Massachusetts, advised he has heard of Mr. Fortas, but does not know him personally. Senator Kennedy stated he possesses no information regarding Mr. Fortas and, therefore, could make no statement concerning him.

Michael J. Mansfield, United States Senator from Montana, advised he has known Mr. Fortas for over 20 years, primarily on a professional basis. He stated Mr. Fortas enjoys an excellent reputation and is highly regarded in the field of

Abe Fortas

law. Senator Mansfield advised he possesses no information of an unfavorable nature as to Mr. Fortas' character, associates, reputation or loyalty. He said he would not hesitate to recommend Mr. Fortas for a position of trust and confidence.

[redacted] law firm of Arnold, Fortas and Porter, Washington, D. C., advised he has been acquainted with Mr. Fortas since 1933. [redacted] stated he considers Mr. Fortas a very capable and outstanding attorney who has a very high reputation in the legal profession. He said there has never been any question as to Mr. Fortas' character, integrity, loyalty or ethics and stated his associates are individuals of excellent character. [redacted] advised he would give Mr. Fortas his highest recommendation for appointment to a position of trust.

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The following additional persons commented favorably concerning Mr. Fortas' character, reputation, loyalty and associates and recommended him for a position of trust and confidence. Mr. Fortas was described as an outstanding and brilliant attorney who enjoys an excellent personal and professional reputation.

[redacted] law firm of
Arnold, Fortas and Porter, Washington, D. C.

[redacted] law firm of
Arnold, Fortas and Porter, Washington, D. C.

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[redacted] law firm of
Arnold, Fortas and Porter, Washington, D. C.

[redacted] law firm of
Arnold, Fortas and Porter, Washington, D. C.

Charles Fahy, Judge, United States Court of
Appeals for the District of Columbia Circuit

[redacted]
[redacted] The First National Bank of Chicago,
Chicago, Illinois

Abe Fortas

Close Relatives

Mr. Fortas' parents are deceased. He has the following living close relatives in addition to his wife, mentioned previously:

Brother

Sister,

Sister,

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Credit and Arrest Checks

Information has been received from the appropriate credit reporting and law enforcement agencies indicating their files contain either no record or no additional pertinent information regarding Mr. Fortas or his close relatives.

Bar Affiliations

A check of the records of the appropriate bars and bar associations during the current inquiries disclosed no additional pertinent information concerning Mr. Fortas.

Agency Checks

Information has been received from the following governmental agencies indicating their files contain either no record or no additional pertinent information concerning Mr. Fortas:

Bureau of Personnel Investigations, Civil Service Commission; House Committee on Un-American Activities; Passport Office, Department of State; United States Secret Service; Central Intelligence Agency; and the White House Office.

The central files of the FBI, including the files of the Identification Division, contain no additional pertinent information concerning Mr. Fortas.

1 - Mr. Belmont
1 - Mr. DeLoach
1 - Mr. Sullivan
1 - Mr. Gale
1 - Mr. Cleveland
1 - Mr. Auerswald

July 22, 1965

BY LIAISON

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2TAP/DAI

JUL 22 4 36 PM '65
REC'D-READING ROOM
B I

Honorable Marvin Watson
Special Assistant to the President
The White House
Washington, D. C.

Dear Mr. Watson:

Reference is made to my letter dated July 21, 1965, which furnished you a summary memorandum containing the results of investigation requested by the President concerning Mr. Abs Fortas.

Eugene J. McCarthy, United States Senator from Minnesota, interviewed in Washington, D. C., advised he knows Mr. Fortas slightly on a professional and social basis through contacts he has had with Mr. Fortas at the White House. He said everything he has heard about Mr. Fortas has been favorable. Senator McCarthy added that he does not feel he is sufficiently acquainted with Mr. Fortas to make any recommendation concerning him.

This completes the investigation in this matter.

NOT RECORDED

Sincerely yours, SEP 16 1965

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele Room _____
Holmes _____
Gandy _____

OJA:jm
(8)

55 SEP 30 1965

MAIL ROOM ☐ TELETYPE UNIT ☐

Return to

Auerswald

1258

SENT BY [REDACTED]

FEDERAL BUREAU OF INVESTIGATION
U S DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

AUG 3 1965

TELETYPE

FBI NEW YORK

1114 AM URGENT 8/3/65 GME

TO DIRECTOR --- 3 ---

FROM NEW YORK /161-1428\ 2P

ABE FORTAS

SPI

RE REPORT SA [REDACTED] DATED ELEVEN THREE

SIXTY FOUR, AT NEW YORK, IN INSTANT CASE.

ON PAGE B OF ADMINISTRATIVE SECTION,
INFORMATION MADE AVAILABLE BY [REDACTED] IN
NINETEEN FIFTY TWO IS DESCRIBED. THIS INFORMATION,
CONSISTING OF A PERSONNEL FILE OF CORRESPONDENCE AND
CERTAIN NOTES MADE BY [REDACTED] CONCERNING FORTAS- ACTIONS
AS ATTORNEY FOR OWEN LATTIMORE, WAS FORWARDED TO BUREAU
AND BALTIMORE BY NYO LETTER DATED ONE FOURTEEN FIFTY
THREE UNDER CAPTION "OWEN LATTIMORE, ESP-R, BUFILE ONE
ZERO ZERO - TWO FOUR SIX TWO EIGHT".

ON EIGHT TWO SIXTY FIVE, [REDACTED] TELEPHONICALLY
ADVISED NYO THAT HE HAD BEEN IN TOUCH WITH SENATOR
END PAGE ONE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/31/85 BY SP-2TAP/SH

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	
b7C	

MR. [REDACTED]
100-1246

b6

b7C

b6

b7C

b7D

161-2860-51
NOT RECORDED

2 SEP 16 1965

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b7D

PAGE TWO

ROBERT KENNEDY OF NEW YORK AND ADVISED KENNEDY THAT HE HAD MATERIAL REFLECTING ADVERSELY ON FORTAS- COMPETENCE TO SIT ON THE SUPREME COURT BENCH. HE STATED KENNEDY ADVISED HIM TO BRING ANY MATERIAL HE DEEMED PERTINENT TO THE ATTENTION OF SENATOR EASTLAND OF THE SENATE COMMITTEE ON JUDICIARY WHICH WOULD CONDUCT HEARINGS ON FORTAS- FITNESS [REDACTED] STATED THAT HE WAS PROCEEDING TO WASHINGTON, D. C. ON AUGUST THREE SIXTY FIVE TO BRING THIS MATERIAL TO THE ATTENTION OF SENATOR EASTLAND [REDACTED] STATED THAT THE INFORMATION CONSISTED SOLELY OF INFORMATION PREVIOUSLY MADE AVAILABLE TO THE BUREAU AND THAT HE HAS NO NEW FACTS CONCERNING FORTAS NOT PREVIOUSLY MADE AVAILABLE.

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[REDACTED] ADVISED THAT HE WAS UNEMPLOYED, WAS LIVING WITH A FRIEND WHOSE IDENTITY HE DID NOT CARE TO DIVULGE AND DID NOT KNOW WHERE HE WOULD BE STAYING IN WASHINGTON, D. C.

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ABOVE SUBMITTED FOR INFORMATION.

END

2,

BJH

FBI WASHDC

UNITED STATES GOVERNMENT

Memorandum

TO Mr. Gale

DATE 8/23/65

FROM W. V. Cleveland

~~SECRET~~

SUBJECT ABEL FORTAS
SPECIAL INQUIRY

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

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b7C

Tolson _____
Belmont _____
DeLoach _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

PURPOSE: To recommend information received from [redacted] concerning Fortas be furnished the White House.

BACKGROUND:

[redacted] has advised the Newark Office he received information from a reliable contact, whose identity he refused to furnish, indicating Abe Fortas has been on a retainer from Cyrus Eaton for several years. Eaton, a well-known Cleveland, Ohio, industrialist, has been a notorious apologist for the Soviet Union and critical of the United States Government's policies.

[redacted] has been voluntarily furnishing the Bureau unsolicited information for several years concerning alleged security risks in the Government. Some of his information has proved to be false, some from public sources and some not subject to corroboration [redacted]

Fortas was the subject of a Hatch Act investigation in 1941 and 1942. We conducted a Special Inquiry concerning him for the White House in October and November, 1964, and, at the request of the President, additional inquiries to bring the investigation up to date were made in July, 1965. On 8/11/65 the Senate confirmed the President's nomination of Fortas as an associate justice of the Supreme Court.

Fortas was reportedly a member of or associated with the Washington Committee for Democratic Action, the American People's Mobilization, the International Juridical Association and the Southern Conference for Human Welfare, each of which has been cited by the House Committee on Un-American Activities or designated pursuant to Executive Order 10450. The Enc. sent 8-23-65

- 1 - Mr. Belmont
- 1 - Mr. DeLoach
- 1 - Mr. Sullivan
- 1 - Mr. Wacks
- 1 - Mr. Gale
- 1 - Mr. Cleveland
- 1 - Mr. Auerswald

REC-58

161-2860-52

RECORDED

CONTINUED - OVER 2 SEP 16 1965

~~SECRET~~

Classified by SP-2TAP/JHF

Memorandum to Mr. Gale
Re: Abe Fortas

~~SECRET~~

b1

results of the investigations were generally favorable. In connection with his legal practice Fortas represented Owen Lattimore; Dr. Edward H. Condon, former Director of the National Bureau of Standards; [redacted]

[redacted] No information was received during our investigations to indicate Fortas has served as an attorney for Cyrus Eaton. It is noted that Fortas has been a practicing attorney for a number of years and, in this connection, has represented a number of large corporations throughout the United States. No inquiries were made to identify all of the many clients he has represented over the years.

ACTION: Attached for approval is a letter transmitting to the White House by Liaison the information furnished by [redacted] indicating Fortas has been on a retainer from Cyrus Eaton. Although [redacted] has requested his identity be concealed with respect to the information he furnished, it is noted that on 8/13/65 the Newark Office was instructed to advise [redacted] we reserve the right to disclose his identity as the source of the information he furnishes. Accordingly, his name is set out in the attached letter to the White House as the source of information in this case.

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OK
✓
[initials]
[signature]

~~SECRET~~

F B I

Date

8/16/65

Transmit the following in _____

AIRTEL

(Type in plaintext or code)

REGISTERED MAIL

Via _____

(Priority)

TO: DIRECTOR, FBI
FROM: SAC, NEWARK (105-0)
RE: ABE FORTAS
JUSTICE - U.S. SUPREME COURT
MISCELLANEOUS INFORMATION CONCERNING
(NATIONALITIES INTELLIGENCE)

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 7/31/85 BY SP-2 TAP/DF

Enclosed for the Bureau are six copies of a
 letterhead memorandum captioned "ABE FORTAS" based on
 information furnished by [REDACTED]

[REDACTED] was
 interviewed on 8/12/65, by SA [REDACTED] requested
 that his identity be concealed with respect to all information
 furnished by him. He refused to identify his contact [REDACTED]

[REDACTED] stated, under no conditions, does he want
 his identity revealed as being the source of this information.

4 - Bureau (enc.-6) RM

1 - [REDACTED]

2 - Newark

1 - 65-5712

PJB:MJ

(6)

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REC-58

161-2860-53

16 AUG 17 1965

UNRECORDED COPY FILED IN



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Newark, New Jersey
August 16, 1965

ABE FORTAS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/31/85 BY SP-2TAP/DMF

A source, who has been volunteering information over a period of time, some false, some not subject to corroboration, and some from public sources, advised that he received information from a reliable, confidential contact (whom source refused to identify) indicating that Abe Fortas, United States Supreme Court Justice, has been on a retainer from Cyrus Eaton, the Cleveland, Ohio, industrialist, for several years.

Source could not elaborate any further regarding above.

This document contains neither recommendations nor conclusions of the Federal Bureau of Investigation. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

161-2860 -53

Jim

1 - Mr. Belmont
1 - Mr. DeLoach
1 - Mr. Sullivan
1 - Mr. Wacks
1 - Mr. Gale
1 - Mr. Cleveland
1 - Mr. Auerswald

August 23, 1965

BY LIAISON

Honorable Marvin Watson
Special Assistant to the President
The White House
Washington, D. C.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/31/85 BY 8-2508 BAX

Dear Mr. Watson:

Reference is made to my previous communications which furnished you the results of investigation concerning Mr. Abe Fortas.

[REDACTED]
[REDACTED]
[REDACTED] has now advised that he received information from a reliable contact, whose identity he refused to furnish, indicating that Mr. Fortas has been on a retainer from Cyrus Eaton, the Cleveland, Ohio, industrialist, for several years. He stated he could furnish no further information regarding this matter.

Cyrus Eaton, mentioned previously, is listed in the 1964-1965 edition of "Who's Who in America" as an industrialist with offices in the Terminal Tower, Cleveland, Ohio. He is Chairman of the Board of Directors of the Chesapeake and Ohio Railway Company, Cleveland, Ohio. He has been a notorious apologist for the Soviet Union and criticized policies of the United States Government.

161-2860-54
2 SEP 21 1965

[REDACTED]
[REDACTED]
NOTE: See memo Cleveland to Gale captioned, "Abe Fortas, SPI," 8/23/65, OJA:jm.

OJA:jm
(9)

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b7C
b7D

55 SEP 30 1965

MAIL ROOM ☐ TEL. TYPE UNIT ☐

Auerswald

1258

Honorable Marvin Watson

b6

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[REDACTED]

[REDACTED] For the past several years [REDACTED] has voluntarily furnished unsolicited information to this Bureau, some of which has proved to be false, some of which has been from public sources and some of which has not been subject to corroboration.

The foregoing is furnished for your information and no further action is contemplated by this Bureau.

Sincerely yours,

SEARCH SLIP

Subj: F. Lee, Alce
 R# 25 Date 9-9 Searcher Number 538
 Prod: AD

FILE NUMBER

SEP 10 1964

UTD Doc 161-2860 10-27-64

I ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 7-8-85 BY J. Burns

L 161-2860-34 11-19-64

I 101-1605-14 sum 6-26-62

I SEP 13 1963 sum 12-9-63

I 58-5520-1251 P1 sum 5-11-64

I 62-106941-A no newspaper given

no date given
Washington Post
8/5/65

NUMEROUS REFERENCE

SEARCH SLIP

Subj Jordan, Al

Supervisor _____ Room _____

R# 25 Date 9-9 Searcher Initial 538Prod. 98FILE NUMBERSERIAL

<u>ME</u>	66-1731-2751	
	92-3088-1396	
<u>ME</u>	94 8-350-A	Wash Post & Times Herald Dec 11-23-64
<u>ME</u>	94-60161-1	
<u>ME</u>	105-122316-178	R 215
<u>ME</u>	105-102049-237	
<u>ME</u>	105-128082-17	
<u>ME</u>	105 120632-12	
<u>L</u>	109 12-241-231	
<u>L</u>	109-12-211-3180, 4394,	
	3622, 2937,	
	3566, 4415,	
	Dec 13 1965 3184, 4346, 4245,	
	3013, 2976, 2951,	
	2922, 2967, 2932,	
	3132, 3077, 2793	
<u>L</u>	109-12-211 A p16	Wash Post & Times Herald Nov 26-27-65
<u>L</u>	109-12-211-2921, 3971	
<u>ME</u>	1 2848-812 p51; 809 p142;	
	374	
	Abraham	(for)
	161-2860-3	sum 11-19-64

NUMEROUS REFERENCE

SEARCH SLIP

Subj. Jortas Abe

Supervisor _____ Room _____

R# 25 Date 9-9 Searcher Initial 538

Prod. 12

639 FILE NUMBER

SERIAL

Spouse Mrs. (Rp)

1/1 77-10263

105-13844-3 ep 19, 20, 30

Cre

L 109-12-211-3711

SEP 16 1964

K: 1

MAILED

SEP 23 1965

NAME CHECK

September 22, 1964

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/05 BY SP-2TAD/DP

~~AME FORTAS~~ - Summary
Born: June 10, 1910
Memphis, Tennessee

The captioned individual was investigated by this Bureau in 1941-42 and the latter part of 1964 and the results summarized in a memorandum furnished to the White House. At the request of the White House, you are referred to the office of the Honorable Marvin Watson, Special Assistant to the President, attention Mrs. Mildred Stegall, should you desire the detailed results of these investigations.

(101-165; 161-2860)

Original and 1 - Department of State
(CU/ECS:AA)
Request received September 8, 1965

ADS:rmr

(4)

NOTE: Fortas investigated by Bureau under the Hatch Act in 1942, at which time he was director of the Power Division, Department of the Interior, based on his name appearing as a member of the Washington Committee for Democratic Action (WCDA), which was later cited pursuant to Executive Order 10450. Fortas interviewed by the Bureau in 1942 and denied membership in WCDA but admitted former membership in the National Lawyers Guild, while at Yale Law School, from which he graduated with honors in 1933. Acquaintances considered him a liberal but not communist. He later served as defense counsel for individuals and organizations with questionable loyalty, including the Joint Anti-Fascist Refugee Committee and the National Council of American-Soviet Friendship, both designated pursuant to Executive Order 10450.

REC-21

161-2860-55
SEP 23 1965

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI, and is loaned to your agency, it and its contents are not to be distributed outside your agency. This reply is result of check of FBI investigative files. To check arrest records, request must be submitted to FBI Identification Division. Fingerprints are necessary for positive check.

65-149

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Belmont
1 - Mr. Mohr
1 - Mr. DeLoach
1 - Mr. Sullivan

Tolson _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO : Mr. W. C. Sullivan

DATE : November 1, 1965.

FROM : Mr. R. D. Cotter

1 - Mr. Cotter
1 - Mr. Baumgardner
1 - Mr. Rosack

SUBJECT : [REDACTED]

INTERNAL SECURITY - CUBA

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY 8-2742/mt

Subject is self-proclaimed Cuban exile leader who has been characterized as liar, unreliable and name-dropper. [REDACTED]

[REDACTED]

Washington Field source has recently advised that [REDACTED] met with Robert M. Shelton, Imperial Wizard, United Klans of America, Inc., Knights of the Ku Klux Klan, on October 28, 1965. [REDACTED] stated he had been in touch with subject and thought Shelton could give him favorable write-up in his paper, the "Fiery Cross." According to [REDACTED] subject claimed he was hired by Central Intelligence Agency (CIA) to lead forces which invaded Cuba in April, 1961, and was "dumped" by CIA before the invasion but was later recontacted by CIA with proposal he again direct attempt to overthrow Castro. Subject also claimed CIA put him in touch with engraver who was to print forty million counterfeit Cuban pesos for use in financing the coup. The plan, however, never materialized. [REDACTED]

[REDACTED] Subject claims he was double-crossed by CIA.

Subject further claimed he had been offered five million dollars by Vatican to organize another effort to overthrow Castro and that several large United States corporations had offered him financial assistance. According to [REDACTED] Abe Fortas, Supreme Court Justice, allegedly told subject that for \$25,000 plus ten per cent of money raised by subject to overthrow Castro, he could arrange Presidential pardon for subject. Fortas allegedly indicated he had already cleared this with the President.

Shelton made no definite commitment but indicated he did not want to get involved in anything until the current hearings involving the Klan were over.

Enclosure 11-2-65

NOT RECORDED

NOV 12 1965

105-88521

102 NOV 16 1965

- 157-5 (HCUA Klan Investigation)

CONTINUED OVER 3

VHN:bhs (10)

Memorandum for Mr. Sullivan
Re: [REDACTED]
105-88521

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OBSERVATIONS:

It is recognized that claims made by the subject set forth above are highly questionable and, in view of his background, probably false. Since this data may come to light during the current Klan hearings or may subsequently come to light through other media, it is felt we should furnish it to the White House together with data showing the subject's unsavory background.

ACTION:

If you approve, the attached letter will be sent to the White House setting forth the foregoing information.

Secret Service is being separately advised of subject's contact with Tabbutt in view of its interest. The detailed information set forth above concerning CIA, the Vatican and Abe Fortas is not being furnished Secret Service. CIA is being advised separately of the data showing subject's alleged connection with that Agency.

WMS

OK

WMS

OK

OK

OK

UNITED STATES GOVERNMENT

Memorandum

TO The Director

DATE 5-15-68

FROM N. P. Callahan

SUBJECT The Congressional Record

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2TAP/BJF

Original filed in 66 1731 3320

Pages E4229-E4230. Congressman Rogers, (D) Florida, stated "Supreme Court Justice Abe Fortas, writing in the May 12 New York Times Magazine presents an interesting and thought provoking definition of 'civil disobedience' which should receive the attention of those who would seek to hide behind this banner in an attempt to forcefully disrupt the legitimate functions of government. Justice Fortas was discussing student unrest, but included similar activity sweeping the Nation." He quoted excerpts from Justice Fortas' articles. Mr. Rogers added "Justice Fortas says—I hope the Attorney General, and the Public Safety Director of Washington, and others, will take note."

161-2860-57

NOT RECORDED

184 JUN 25 1968

In the original of a memorandum captioned and dated as above, the Congressional Record for 5 1447 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

VIA TELETYPE

ENCIPHERED

WA 2

1245 PM URGENT 7-19-68 JLW

TO DIRECTOR AND WASHINGTON FIELD (PLAINTEXT)

FROM NEW YORK 1P

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

UNSUB; THREAT AGAINST ABE FORTAS, ASSOCIATE JUSTICE,
UNITED STATES SUPREME COURT. INFORMATION CONCERNING.

Complaint
ON SEVEN NINETEEN INSTANT, AT THREE FIFTY FIVE AM,

[REDACTED] UNITED PRESS INTERNATIONAL,

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NYC, TELEPHONICALLY ADVISED THE NYO THAT AT THREE FORTY
AM, SEVEN NINETEEN INSTANT, HE RECEIVED A PHONE CALL FROM
AN ANONYMOUS MALE CALLER. THIS CALLER STATED "ABE FORTAS
WILL BE KILLED THREE MINUTES AFTER HE IS MADE CHIEF JUSTICE."
THE CALLER IMMEDIATELY HUNG UP.

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[REDACTED] ADVISED THAT THE CALLER SPOKE IN A DEEP MALE
VOICE WITH NO DISTINGUISHABLE ACCENT. THE CALLER SPOKE
VERY SLOWLY AND DISTINCTLY.

REC-76

164-2860-58

[REDACTED] UNITED STATES SECRET SERVICE,

NYC, ADVISED OF THE ABOVE THREAT.

EX-114

15 JUL 23 1968

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WFO ADVISE OFFICE OF ABE FORTAS OF THREAT ~~WAS~~ *UNLESS ADVISED TO THE CONTRARY*

LINE FOLLOWS.

HOLD

MEMO

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY 38-2741574 F

NYL R RELAY

266
TELETYPE TO:

WFO

MR. DELOACH FOR THE DIRECTOR

UNITED STATES GOVERNMENT

Memorandum

TO Mr. Bishop

DATE 7-17-68

FROM M. A. Jones

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/3/85 BY SP-2 JAP/BHR

SUBJECT REQUEST FROM SENATOR STROM
THURMOND'S (R - S.C.) OFFICE

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

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BACKGROUND:

[redacted] an assistant in Senator Strom Thurmond's Office, called late this morning (7-17-68). In connection with the Congressional hearing, now in progress, to consider Associate Justice Abe Fortas' nomination as Chief Justice of the Supreme Court, the Senator desired the FBI to affirm or refute the following information which had come to his attention:

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In 1965 [redacted] who was then reportedly involved in an obscenity case prosecution, allegedly told FBI Agent [redacted] that in 1958, he had paid Fortas an \$11,000 fee to obtain mailing privileges for "Rogue" magazine.

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No commitments were made concerning this request from the Senator's Office.

INFORMATION IN BUFILES:

"Rogue" magazine is similar to the better known "Playboy" magazine. It is a girly-type publication for men which specializes in photographs of nude females and risqué articles. It is published by the Greenleaf Publishing Company, Evanston, Illinois.

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In connection with the investigation entitled [redacted] aka; et. al; Interstate Transportation of Obscene Material, "SAs [redacted]

interviewed [redacted] in 2-2-65 at [redacted]

During this interview, [redacted] stated that one of several law firms he

- 1 - Mr. DeLoach
- 1 - Mr. Bishop
- 1 - Mr. Gale
- 1 - Mr. Rosen

REC-1

161-2860-59

b6 b8

JHC:jar (9)

50 AUG 1968

CONTINUED OVER

RE: REQUEST FROM SENATOR STROM THURMOND'S OFFICE

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No mention was made in this interview of any fee to Fortas for his legal services, nor was any such information found in other logical files.

It would appear that Senator Thurmond is attempting to assemble ammunition to use in opposing the Fortas nomination as Chief Justice to the Supreme Court. It appears prudent that we not become involved with any such opposition.

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That someone from your (Mr. Bishop's) Office telephonically advise the Senator, through his Assistant [REDACTED] that we cannot be of any assistance and that he should direct his inquiry to the Department of Justice.

Tobin

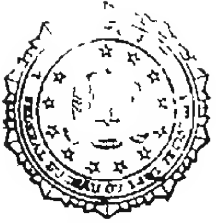
✓

~~P~~

A handwritten signature in black ink, appearing to be "M. H." or similar, located at the bottom right of the page.

4

[Handwritten signature]



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Richmond, Virginia
July 8, 1968

In Reply, Please Refer to
File No.

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Title ALLEGED DEFAACEMENT OF PROPERTY AT
 RESIDENCES OF [REDACTED]
 [REDACTED]
 AND SUPREME COURT JUSTICE ABE FORTAS,
 WASHINGTON, D. C., BY ARYAN KLAN,
 KNIGHTS OF THE KU KLUX KLAN,
 JULY 4, 1968

Character RACIAL MATTERS - KLAN

Reference Richmond Letterhead Memorandum
 dated and captioned as above.

All sources (except any listed below) whose identities are concealed in referenced communication have furnished reliable information in the past.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2 JAP/DAK

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

F B I

Date. 7-8-68

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL

(Priority) ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 7/31/85 BY SP-2709/BJF

TO: DIRECTOR, FBI (157-8927)

FROM: SAC, RICHMOND (157-2474) -C-

SUBJECT: ALLEGED DEFAACEMENT OF PROPERTY AT
RESIDENCES OF [REDACTED]

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AND

SUPREME COURT JUSTICE ABE FORTAS,
WASHINGTON, D. C., BY ARYAN KLAN,
KNIGHTS OF THE KU KLUX KLAN,
7-4-68
RM - KLAN

Re Baltimore and Richmond teletypes to Bureau
dated 7-5-68.

Enclosed for the Bureau are ten copies and for
Baltimore and WFO one copy each of letterhead memorandum
concerning the painting on the driveway of [REDACTED]

[REDACTED] on morning of July 4, 1968.

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The following agencies are receiving copies of
the letterhead memorandum through local dissemination via
FD-342:

U. S. Attorney, Richmond, Va.

C. C. - Bishop

ENCLOSURE
3-Bureau (Enc. 10) (REGISTERED MAIL)
1-Baltimore (157-2596) (Info) (Enc. 1) (REGISTERED MAIL)
1-WFO (157-1747) (Info) (Enc. 1) (REGISTERED MAIL)
6-Richmond (1 - 157-2474)
(1 - 157-709 - WHITE PARTY OF AMERICA)
(1 - 157-2343 - ARYAN KLAN, KNIGHTS OF KU KLUX KLAN)
(1 - [REDACTED])
(1 - [REDACTED])
(1 - [REDACTED])

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ENCLOSURE
KMC/bag
(11)

ALACOF, SEC SER

12 JUL 11 1968

1cc detached by
Klan Unit

DATE FORW: JUL 16 1968

Approved. 12 HOW FORTAS
Special Agent in Charge

Sent _____ M Per _____

57 JUL 24 1968

cc destroyed by
Klan Unit

RACIAL INT. SECT.

ORIGINAL FILED IN 157-8927-14

RH 157-2474

116th Military Intelligence Group,
Washington, D. C.

U. S. Naval Investigative Service Office,
Washington, D. C.

Office of Special Investigations, Suitland
Hall, Washington, D. C.

U. S. Secret Service, 1800 G Street, N. W.,
Washington, D. C.

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The source mentioned in letterhead memorandum is [redacted]
as furnished to SA [redacted]

The Fairfax County, Virginia, Police Department is
conducting no further investigation due to the fact that the
Attorney General is not desirous of pressing charges.

The Richmond Office is taking no further action in this
matter, UACB.



FEDERAL BUREAU OF INVESTIGATION

Richmond, Virginia
July 8, 1968

In Reply, Please Refer to
File No.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2TAP/DHF

RE: ALLEGED DEFAACEMENT OF PROPERTY AT
RESIDENCES OF [REDACTED]

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AND SUPREME COURT JUSTICE ABE FORTAS,
WASHINGTON, D. C., BY ARYAN KLAN,
KNIGHTS OF THE KU KLUX KLAN,
JULY 4, 1968

Fairfax County, Virginia, Police Detective [REDACTED]
[REDACTED] advised that at approximately 1:00 A.M., on July 4,
1968, [REDACTED] who resides at [REDACTED]
[REDACTED] was driving his
car past [REDACTED] home, located at
[REDACTED] which is located in [REDACTED]
[REDACTED] and at that time noticed a
white male painting some lettering on the driveway. [REDACTED]
stopped his vehicle and ran toward the driveway, at which time
the individual then picked up his can of paint and brush and
ran toward [REDACTED] home where he climbed a ladder which was
leaning against the house. This individual promptly fell
from the ladder while still holding on to the can of paint
and brush and thereafter ran across several lawns and then
fell down an embankment into the middle of [REDACTED]
where he dropped his can of paint and brush.

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At this time, two other young neighbor boys, whose
names are [REDACTED]

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joined in the chase and observed the subject enter the front
door of the residence located at [REDACTED] The
boys then knocked on the front door but received no response.

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161-2860-

ENCLOSURE

ENCLOSURE

RE: ALLEGED DEFACEMENT OF PROPERTY AT
RESIDENCES OF [REDACTED]

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[REDACTED] AND
SUPREME COURT JUSTICE ABE FORTAS,
WASHINGTON, D. C., BY ARYAN KLAN,
KNIGHTS OF THE KU KLUX KLAN, JULY 4, 1968

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It was then decided that one of the boys should make a telephone call to the Fairfax County, Virginia, Police Department, while the other two boys stood guard at the house to be certain that no one left.

Fairfax County, Virginia, Police Officer [REDACTED] responded to the scene, where he was stopped by [REDACTED] who at that time had a BB gun. Officer [REDACTED] learned of the circumstances and thereafter knocked on the front door of [REDACTED] residence and an individual, who identified himself as [REDACTED] responded. The Officer was able to ascertain from [REDACTED] that the man who had just entered the house was [REDACTED] at that time then responded to the front door and was identified by Officer [REDACTED] as a white male, residing at [REDACTED]. Officer [REDACTED] observed that [REDACTED] was somewhat scratched about the face and had paint on his hands and shoes. When questioned as to what he had been doing with the paint, [REDACTED] explained that he had been down beside the lake when some boys had pulled a gun on him so he ran away. He denied having been on the other side of [REDACTED] or at [REDACTED] residence. [REDACTED] positively identified [REDACTED] to the Police Officer as the individual whom he had chased and who had been painting on the driveway.

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Officer [REDACTED] advised that the following writing was observed painted in white letters on the [REDACTED] driveway:

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"ARYAN
KKK

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[REDACTED]
IS
A
FINK
THE"

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RE: ALLEGED DEFACEMENT OF PROPERTY AT
RESIDENCES OF [REDACTED]

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[REDACTED] AND
SUPREME COURT JUSTICE ABE FORTAS,
WASHINGTON, D. C., BY ARYAN KLAN,
KNIGHTS OF THE KU KLUX KLAN, JULY 4, 1968

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Office [REDACTED] reported that he then aroused [REDACTED]
[REDACTED] at his residence and explained the circumstances of what had
happened. [REDACTED] advised the Police Officer that he
did not believe that he wanted to do anything at that time but that
he would like a report to be made of the situation, to which the
Officer stated that it would automatically be done.

Detective [REDACTED] advised that in view of the fact that
[REDACTED] did not press charges, no further action would be taken
by the Fairfax County, Virginia, Police Department.

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A confidential source, who has furnished reliable infor-
mation in the past, advised [REDACTED] is
a member of the White Party of America, located in Alexandria,
Virginia, and that [REDACTED] has been the leader of a Klan
group in Maryland in the past named Aryan Klan, Knights of the Ku
Klux Klan. A copy of the characterization of each of the afore-
mentioned two organizations is affixed hereto.

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WHITE PARTY OF AMERICA

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On [redacted] who identified himself [redacted] the White Party of America (WPA), advised that he, along with several other former members of the American Nazi Party (ANP), formed the WPA during the early part of 1964 in order to advance the cause of the white man in the United States and eventually throughout the world.

This organization was officially launched on April 1, 1964, when it sponsored picketing in Washington, D. C., in Richmond, Virginia, and in Baltimore, Maryland, in opposition to civil rights legislation and civil rights demonstrations. Its National Headquarters was transferred from 1216 New York Avenue Northwest, Washington, D. C., to 1019 King Street, Alexandria, Virginia, on April 1, 1965.

It was initially the aim of the WPA to sponsor picketings and demonstrations where it was believed such would be of value and to publicize its program through pamphlets and similar media. The WPA has been inactive due to the lack of funds and its only publications to date have been in April and May, 1964, issues of its official publication, "The White Letter."

He added that the WPA is still in the formative stage, but it will uphold the Constitution of the United States and will always act within the limits of the law. He noted that the WPA will serve as a "home for people who want to preserve the white race" and cannot find a home for themselves in either of the major political parties in the United States.

ARYAN KLAN, KNIGHTS
OF THE KU KLUX KLAN

[redacted]
[redacted]
a new Klan group to be called the Aryan Klan, Knights of the Ku Klux Klan (AK), according to a source reporting on [redacted]
[redacted] According to this source [redacted] stated members of the Aryan Klan would learn guerrilla warfare.

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[redacted] was interviewed by [redacted]
[redacted]

at which time he was reported [redacted] as being in the process of organizing the AK [redacted] in his remarks indicated that it was an anti-communist group and that it was a secret organization with 80% of its membership underground. He denied the group was espousing race hate, or harassing or coercing people but indicated that it believed in racial integrity. He later admitted in the same interview to being a hate monger. After being asked why such a group was necessary [redacted] stated he felt that an individual could not protect his family from revolutionaries and that one must be with a group. Also in the above interview, he indicated anti-Semitism by stating that communism was Jewish and that it would be easier to "find a needle in the haystack than a truly patriotic Jew." He idolized ADOLPH HITLER and made complimentary remarks concerning GEORGE LINCOLN ROCKWELL, former leader of the American Nazi Party.

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[redacted]
advised that members of the AK have been furnished literature dealing with guerrilla warfare by [redacted]

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[redacted] stated most of the literature are reproductions of that prepared by the Minuteman Organization.

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The sources reported that the membership of this organization is drawn from the Maryland and Virginia suburbs surrounding Washington, D. C.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

UNITED STATES GOVERNMENT

Memorandum

TO The Director

DATE

FROM N P Callahan

SUBJECT The Congressional Record

Pages 58944-58952. Several senators discussed the nominations of Justice Abe Fortas to be Chief Justice and Judge Homer Thornberry to be Associate Justice of the Supreme Court. Senator Smathers, (D) Florida, spoke in support of these nominations. He requested to have printed in the Record statements of highlights in the judicial careers of both Justice Fortas and Judge Thornberry, and an article from the Washington Post of June 30 entitled "Thornberry record shows he's Not Soft on Crime." The article stated senators combing the judicial record of Supreme Court nominee Homer Thornberry are in for a surprise if they expect to find him undeviatingly soft on criminal suspects. - - - Thornberry also upheld two other convictions last month in Miranda cases, including one in which a bank teller was convicted of embezzlement after discussing bookkeeping discrepancies with FBI agents at the bank.

Original filed in

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2TAP/DAF

161-2860
NOT RECORDED
102 1 668

In the original of a memorandum captioned and dated as above, the Congressional Record for [redacted] was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

UNITED STATES GOVERNMENT

Memorandum

TO The Director

DATE 7-9-61

FROM N. P. Callahan

SUBJECT The Congressional Record

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/31/85 BY SP-2TAP/SHE

Pages L6231-E8232. Congressman Ashbrook, (R) Ohio, advised that "a very timely column by the veteran newsmen, Willard Edwards, in Chicago Tribune of July 7 calls attention to a booklet by Justice Abe Fortas entitled 'Concerning Dissent and Civil Disobedience.' He pointed out that this booklet has been analyzed by Benjamin Ginsburg, a former research director of the Senate Subcommittee on Constitutional Rights, author and assistant editor of the Encyclopedia of the Social Sciences. Mr. Ashbrook stated 'In the opinion of Ginsburg, Fortas 'advocates a number of highly dangerous moral-political sophisms and thus shows himself to be unfit to occupy the post of Chief Justice.' The column by Mr. Edwards is set forth in the Record.

161-2860-60

In the original of a memorandum captioned and dated as above, the Congressional Record for 7-1-61 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

54 JUL 30 1961

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UNITED STATES GOVERNMENT

RA
Memorandum

TO : The Director

DATE: 7-17-68

FROM : N. P. Callahan

SUBJECT: The Congressional Record

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2TAP/JHF

Page 25541. Congressman Ashbrook, (R) Ohio, stated: "In 1953 the Senate Internal Security Subcommittee received from the then attorney general of the State of New Hampshire, Louis C. Wyman, personal papers from the home of Harry Dexter White in Ellenville, N. H. These papers were the subject of much analysis by the subcommittee and a report entitled 'Interlocking Subversion in Government Departments - The Harry Dexter White Papers, Part 30' was issued in August 1955. The report gave the backgrounds of various people who had correspondence with Harry Dexter White as indicated by his personal papers. On pages 27, IV and 28, V of the report the subcommittee listed some of the activities of Justice Abe Fortas during this period of time. As the subcommittee states, the mere exchange of correspondence with White 'does not necessarily have any subversive connotation,' and this should be borne in mind. Perhaps Justice Fortas was 'a babe in the woods' in associating with the various groups listed below, but if his decision in the *Rebel* case concerning Communists in defense plants is any indication, he has yet to learn the inherent danger of the machinations of the Communist Party and certainly should not be selected for the top spot in the highest Court of the land." He included material from the Senate Internal Security Subcommittee report in the Record.

Pages 25564-25565. Congressman Sarich (D) Louisiana, placed in the Record the Testimony of Mark Lewis, Chairman of The Council Against Communist Aggression, on the Nomination of Sen. Abe Fortas as Chief Justice of the United States, before the Senate Judiciary Committee, July 11, 1965. In his testimony Mr. Lewis stated: "My objection to Justice Fortas' confirmation does not rest upon any doubts about his past associations or beliefs. It rests entirely upon the fact that Mr. Fortas has long been in

161-2860-

NOT RECORDED

JUL 24 1968

Original filed in: 66-1731-3342

In the original of a memorandum captioned and dated as above, the Congressional Record for 7-16-68 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate bureau case or subject matter files.

61 JUL 23 1968

the forefront of the battle to weaken the defenses our government has erected to protect this country against communist subversion. Mr. Foran has been a vigorous opponent of the government's loyalty and security programs since they were instituted in the Truman administration. - - - For example, he suggested that no employee should be subjected to a loyalty hearing unless there was reason to believe that the employee had engaged in activities inimical to the United States within the last three or five years. - - - Mr. Foran also proposed excluding from consideration in loyalty hearings any involvement in communist-front organizations prior to the time when they were officially designated as front organizations. - - - He implicitly took the position that it was better for the government to err on the side of employing security risks than to err on the side of safeguarding our national security. - - - The confirmation of Mr. Foran to that post would be tantamount to a vote for judicial repeal of laws that are absolutely vital to our national security."

UNITED STATES GOVERNMENT

Memorandum

TO MR. TOLSON

DATE 7/8/68

FROM C. D. DeLoach

cc Mr. DeLoach
Mr. Bishop

SUBJECT **JUSTICE ABE FORTAS**
Scheduled confirmation
by U.S. Senate
as Chief Justice of Supreme Court

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2726/HFC 13 DVF

Tolson _____
DeLoach _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

Justice Fortas called me at approximately 4:10 p.m. today. He stated he was ashamed to bring this matter up; however, several "friends" (obviously meaning President Johnson) had instructed him to call the FBI and bring this matter to our attention.

He then explained that on the occasion of his first confirmation as a Supreme Court Justice he was waylaid upon entering the hearing room by a member of the American Nazi Party, who gave forth with abusive language. The "Nazi" attempted to delay the Justice from entering the hearing room.

The Justice stated he was not asking for any favors, but he did want to let the FBI know that he will probably be called before the Senate Judiciary Committee at 10 a.m., on Thursday, 7/11/68. He indicated he would go first to the office of Senator Albert Gore (D. - Tennessee), inasmuch as Gore represents his home state. Gore will then accompany him to the Senate Judiciary Committee hearing room.

Justice Fortas told me that a "nose count" reveals that approximately 65 members of the Senate are in favor of his confirmation as Chief Justice. He stated that some of the dissenters actually do not realize the strong stand he has taken on several occasions to defend law enforcement. He added that the public is not aware of the fact that the Supreme Court, during the time he has been on the court, has turned down 92% of the 1800 criminal cases appealed to the court. He meant by this, of course, that the Court had refused to hear 92% of the cases.

The Director was advised of the call from Justice Fortas. At his instructions I am having Special Agent [redacted] who handles liaison matters up on the Hill, along with another Crime Records Agent, be in the vicinity of Senator Gore's office, as well as the vicinity of the Senate Judiciary Hearing room, on Thursday morning, 7/11/68, between 10 and 10:30 a.m. Justice Fortas was advised of the Director's desire to be of assistance and indicated his appreciation.

ACTION: - For record purposes. ✓
CDB:CSH (3)

CRIME RECORDS SECTION

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Handled 7-11, 16, 17, 18, 19-68
DWB

UNITED STATES GOVERNMENT

Memorandum

TO The Director

DATL

FROM N P Callahan

SUBJECT The Congressional Record

Pages E6759-E6762. Congressman Rarick, (D) Louisiana, stated "Abe Fortas has earned his role as Mr. Obscenity, based upon his extremist notions that the parents and society in general should have no power or right to establish a pattern of morals or dignity as to what constitutes decent literature. I feel the testimony of Mr. James J. Clancy on behalf of the executive board of Citizens for Decent Literature should clearly establish in the minds of every parent and believer in a decent society that Mr. Fortas is unfit to sit as the chief officer of the U. S. Supreme Court." He inserted Mr. Clancy's statement in the Record. During this statement, Mr. Clancy quotes from a documentary of the October 1966 term decisions prepared by the Citizens for Decent Literature, Inc., (CDC). Mr. Clancy made reference to Justice Fortas' appearance in Roth vs. U. S. as counsel for amicus curiae, Greenleaf Publishing Company urging the reversal of Roth's conviction on an obscenity charge for sending his materials through the mails. He stated "William Hamling was then doing business as Greenleaf Publishing Company, the publisher of Rogue, a girlie magazine. The four-hour conversation referred to was between William Hamling (this time doing business as Corinth Publications, Inc., the publisher of 'Sin Whisper.') and Homer Young, FBI Agent in charge of the Los Angeles Section on Obscenity and took place in Palm Springs, California, in February of 1965. (Homer E. Young is an Agent assigned to the Los Angeles office.)

Pages E6766-E6771. Congressman Rarick, (D) Louisiana, extended his remarks in opposition to the nomination of Abe Fortas as Chief Justice of the Supreme Court. He stated "Mr. Fortas has already spelled out his disbelief in the theory of separation of powers by his involvement with the executive branch in affairs such as the ineffective leadership during the riots and looting in Washington, D. C., this spring. Now, as if to compound the attack on the Constitution, the Attorney General of the United States— legal arm of the executive branch—files face-saving briefs and memos seeking to defend Fortas for his repudiation of our country's basic laws. Perhaps the Senate Judiciary Committee should inquire of the Attorney General as to what roles Justice Fortas has also usurped in directing the operations of the Justice Department. The answers might well explain that Department's inaction against communism and criminals while the Attorney General directs his action against society testifying against capital punishment, for open housing before the Supreme Court, and his announced refusal to use wiretapping apparatus against organized crime although authorized expressly by Congress. Who made these decisions? Could Fortas' counsel be the reason the Attorney General prejudices the law and Congress?" He included miscellaneous material with his remarks.

Original filed in

UNITED STATES GOVERNMENT

Memorandum

TO The Director

DATE

FROM N P Callahan

SUBJECT The Congressional Record

Pages E6759-E6762. Congressman Rarick, (D) Louisiana, stated "Abe Fortas has earned his role as Mr. Obscenity, based upon his extremist notions that the parents and society in general should have no power or right to establish a pattern of morals or dignity as to what constitutes decent literature. I feel the testimony of Mr. James J. Clancy on behalf of the executive board of Citizens for Decent Literature should clearly establish in the minds of every parent and believer in a decent society that Mr. Fortas is unfit to sit as the chief officer of the U. S. Supreme Court." He inserted Mr. Clancy's statement in the Record. During this statement, Mr. Clancy quotes from a documentary of the October 1966 term decisions prepared by the Citizens for Decent Literature, Inc., (CDC). Mr. Clancy made reference to Justice Fortas' appearance in Roth vs. U. S. as counsel for amicus curiae, Greenleaf Publishing Company urging the reversal of Roth's conviction on an

Original filed in

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161-2860-62

NOT RECORDED

128 JUL 25 1968

In the original of a memorandum captioned and dated as above, the Congressional Record for _____ was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of _____ the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

61 AUG 12 1968

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 7/25/68

FROM : SAC, WFO (62-9812) (RUC)

SUBJECT: UNSUB; Threat Against
Abe Fortas, Associate Justice,
United States Supreme Court,
July 19, 1968
INFORMATION CONCERNING
(OO:NY)

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DATE 7/31/85 BY SP-2TAP/DHF

Enclosed for the Bureau is original and three
copies of LHM, one copy is enclosed for New York.

The information appearing in the enclosed LHM
was disseminated by SA [redacted] on 7/19/68, to
Marshal [redacted] United States Supreme Court;
Detective [redacted] Intelligence Division, Metro-
politan Police Department, and Inspector [redacted]
U.S. Capitol Police.

One copy of LHM is being furnished to New York
since that office has pending investigation in that matter.

- 2 - Bureau (Encs. 4)
1 - New York (Enc. 1) (Info)
1 - WFO

HBM:fet
(4)

REC 11 161-2860-63

17 JUL 26 1968



5010-106

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Washington, D.C. 20535

July 25, 1968

In Reply, Please Refer to
File No

UNKNOWN SUBJECT;
THREAT AGAINST ABE FORTAS
ASSOCIATE JUSTICE
UNITED STATES SUPREME COURT
July 19, 1968

On July 19, 1968, at 3:55 a.m., [redacted]
[redacted] United Press International, New York, New
York, telephonically advised the New York Office of the
Federal Bureau of Investigation that he had received a
telephone call at 3:40 a.m., on July 19, 1968, from an
anonymous male. The caller stated, "Abe Fortas will be
killed three minutes after he is made Chief Justice".
The anonymous caller made no further statements. [redacted]
[redacted] advised that the caller spoke in a deep male voice
with no distinguishable accent. He spoke very slowly
and distinctly.

b6

b7C

On July 19, 1968, the above information was
telephonically furnished to [redacted] Marshal
United States Supreme Court, as well as to Detective [redacted]
[redacted] Intelligence Division, Metropolitan Police Depart-
ment, and Inspector [redacted] United States
Capitol Police.

b6

b7C

ALL INFORMATION CONTAINED
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DATE 2/3/83 BY SP-2 JAP/DHK

This document contains neither
recommendations nor conclusions of
the FBI. It is the property of
the FBI and is loaned to your agency;
it and its contents are not to be
distributed outside your agency.

161-2860-63
ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

TO The Director

FROM N. P. Callahan

SUBJECT The Congressional Record

DATE: 7-27-68

Pages 33411-33412. Senator Miller, (R) Iowa, spoke concerning the nomination of Abe Fortas to be Chief Justice of the Supreme Court. He set forth his reasons for opposing this nomination as the short length of time for the present administration and the fact that people should have a chance to reflect their views through the election of a new President who, in turn, could reflect those views in appointments. Mr. Miller went on to state "Another point that has been made is the possible conflict of interest by Mr. Justice Fortas. On this point, of course, the sincerity of the Justice is brought into question. His failure to accept an invitation by the chairman of the Committee on the Judiciary to come before the committee and try to clear up this point is cause for the deepest concern. The point was discussed when a Department of Justice representative appeared before the committee the other day, and the only answer that was given was that the files of the Department of Justice do not indicate anything on this point. . . . But the answer is that the Department had better get busy and investigate, so that something can be placed in the files on this point. I thought it was an extremely unsatisfactory and weak answer, coming from the Department of Justice, which certainly ought to be very much concerned about the amount of pornographic literature that is coming into our communities."

Pages 33436-33437. Senator Brooke, (R) Massachusetts, stated the United Press-International reported that Attorney General Ramsey Clark charged today that Senators fighting the nomination of Abe Fortas as Chief Justice are "those who oppose securing equal rights and civil rights for the people."

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DATE 7/31/85 BY SP-2TAP/JHF

161-2860-64

NOT RECORDED
23 AUG 2 1968

In the original of a memorandum captioned and dated as above, the Congressional Record for [redacted] was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

Original filed in: 161-2860-64

55447-100

checked this with the United Press-International, because it was difficult for me to believe that the Attorney General would have made such a statement. I do not join with some of my colleagues in opposing the Fortas nomination as Chief Justice of the United States. However, Mr. President, I cannot stand by or sit by and have the Attorney General of the United States make a statement indicting all those in the Senate who are in opposition to the nomination of Mr. Fortas as Chief Justice of the United States as anticivil rights Senators. - - - So I hope that the Attorney General will correct that statement. I call upon him to review the record of the distinguished Senators whom he has indicted unfairly and make an apology to those Members of the Senate whom he has inaccurately regarded as being opponents of civil rights. Several other Senators joined in these remarks.

FEDERAL BUREAU OF INVESTIGATION
FOIPA
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